

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2000 of 2018

Arising Out of PS. Case No.-77 Year-2015 Thana- RUNISAIDPUR District- Sitamarhi

Sukdev Paswan, S/o Late Maru Paswan, R/o Vawadepur, P.S.- Riga, District-
Sitamardhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Basant Kumar Singh, Adv. Mr. Deovind Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-01-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

The prosecution case got initiated with the filing of Complaint Case No. 1728 C/2014 by one Rakesh Kumar Verma, dated 19.09.2014, which came to be registered as Runnisaidpur P.S. Case No. 77 of 2015 on 20.02.2015 after being transferred under Section 156(3) of the Code of Criminal Procedure by the learned Court below. The prosecution case is that the informant intended to set up a saw mill on his land for which she needs a valid licence, when petitioner contacted her and assured that he



will get his saw mill licence transferred in her name and for that the petitioner took Rs.24,000/- through cheque. Subsequently, the informant came to know that the petitioner has already transferred his saw mill licence in the name of someone else and thereby, the petitioner cheated her.

It is submitted by learned counsel for the petitioner that though the petitioner has taken Rs.24000/- from the informant for repairing of machines, but he is ready to return Rs.24000/- to the informant through bank draft.

However, the impugned order suggests that some compromise took place between the parties.

Considering the nature of accusation and present stand of the petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-VI, Sitamarhi, in connection with Runnisaidpur P.S. Case No.77 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned Court below on submission of bank draft of Rs.24000/-



issued in favour of the informant. The said bank draft will be realized in favour of the informant, if she undertakes to reconcile the issue, otherwise the said draft will be subject to result of the case.

(Dinesh Kumar Singh, J)

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