

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24808 of 2018

Arising Out of PS.Case No. -440 Year- 2014 Thana -COMPLAINT CASE District- LAKHISARAI

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1. Bijay Kumar S/o Jageshwar Prasad, R/o Vill.- Saket Dham, Jakerpura,
P.O.+P.S.- Suryagarha, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Ranjit Kumar Kejariwal S/o Shyam Sunder Kejriwal, M/s, Krishi Store,
Suryagarha, R/o Vill.- Suryagarha, Bazar, P.O.+P.S.- Suryagarha, District-
Lakhisarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mayank Bilochan, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-05-2018

Heard the parties.

The petitioner seeks anticipatory bail in connection with
Complaint Case No. 440 C/2014, registered for offences
punishable under Sections 322, 420 and 504 of the Indian Penal
Code.

Allegation against the petitioner is that he had
purchased the truck of the complainant on consideration money of
Rs. 9,50,000/- and he had paid only Rs. 2 lac at a time and the
rest amount was to be paid with 10% interest. It was further been
alleged that the petitioner was again paid Rs. 5,50,000/- to the
complainant and transferred the owner book in his name and also



received a loan amount from Shri Ram Finance Company Ltd on that truck but when the complainant went to take rest amount to the house of the accused, assaulted and refused to pay the rest amount.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the truck is still under possession of the complainant and power of attorney has been executed by the informant showing that the petitioner is not owner of the truck but he only looks after the truck which falsifies the allegation.

Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for bail on the ground that the rest amount taken by the petitioner has not been refunded.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioner, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of Shri Naresh Mahto, the learned Judicial Magistrate, 1st class, Lakhisarai in connection with Complaint Case No. 440C/2014, subject to the condition that as laid down under Section 438 (2) of



the Code of Criminal procedure.

With following conditions:-

- i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- ii) The petitioner will not induce any witness or tamper with the evidence.
- iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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