

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47475 of 2018

Arising Out of PS.Case No. -1343 Year- 2017 Thana -BHABHU(KAIMUR) COMPLAIN C
District- BHABHUA (KAIMUR)

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1. Subash Singh S/o Late Raj Nath Singh aged 36 Years, R/o Madurna,
P.S.- Chainpur, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pradeep Kumar S/o Shiv Singh, R/o Vill.- Sikathi, P.S.- Bhabua,
District- Kaimur (Bhabua).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Sunil, Adv.
For the Opposite Party/s : Smt. Indu Kumari Srivastava, Adv.
For the Opposite Party No.2 : Mr. Saroj Kumar Sharma, Adv.
Ms. Kiran Kumari Sharma, Adv

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-08-2018 The petitioner is apprehending his arrest in connection with Complaint Case No.1343 of 2017, registered for offences punishable under Section 420 of the Indian Penal Code and Section 138 of the N.I. Act.

Allegation as per complaint petition that the complainant gave Rs. 2 Lac to the petitioner and, thereafter, the petitioner offered him to purchased a piece of land through him, in which, he assured that he would return his Rs. 2 Lac, however, when the complainant enquired about the said land, he came to know that it was disputed land and, thereafter he asked for his money and the petitioner issued two cheques in favour of him, which on



presentation were dishonored by the bank.

Submission of learned counsel for the petitioners is that no cheque as alleged in the complaint petition has been given to the complainant rather the cheques were given to one Ranglal Singh, with whom the petitioner had entered into an agreement for purchasing the certain piece of land.

Heard learned A.P.P. as well as learned counsel for the complainant, they have opposed the prayer for anticipatory bail of the petitioner by stating that an agreement was also entered into between the complainant and petitioner and when the agreement failed, the complainant demanded his money but the petitioner refused to pay back and issued two cheques, which got bounced.

Having heard both sides, considering the facts and circumstances of the case, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Kaimur (Bhabua) in connection with Complaint Case No.1343 of 2017, subject to the conditions as laid down



under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(Vinod Kumar Sinha, J)

sunil/Amjad/-

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