

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25537 of 2018

Arising Out of PS.Case No. -450 Year- 2017 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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Pramod Keshari @ Pramod Kumar Keshari, Son of Rajendra Prasad Keshari, resident of Village- Fakorabad, Police Station- Kudra, District- Kaimur (Bhabua).

.... Petitioner

Versus

1. The State of Bihar.
2. Manoj Kumar Singh, Son of Late Yogendra Singh, resident of Village- Bahera, Police Station- Sonahan, District- Kaimur (Bhabua).

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Satyendra Pandey
For the Opposite Party/s : Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 03-07-2018 Petitioner apprehends his arrest in connection with Complaint Case No. 450 of 2017 registered for the offences punishable under Section 420 of the Indian Penal Code and Section 138 of N.I. Act.

Allegation against the petitioner is that he has taken loan of Rs.8 lakhs from the complainant and did not return the same. Thereafter petitioner has again taken Rs.5 lakhs from the complainant on the assurance that he will sell his land to the complainant and thereafter he has not executed sale deed. Thereafter a cheque for Rs.8 lakhs was given to the complainant but that bounced.

Submission of learned counsel for the petitioner is that petitioner has filed a title suit for specific performance of contract



and dispute is of civil nature and it is business transaction.

Heard learned APP and learned counsel for the informant. They have opposed the prayer for anticipatory bail stating that petitioner is in habit of taking money and cheque was bounced.

Having heard both sides and in the facts and circumstances, this application is disposed of with a direction to the petitioner, named above, to surrender within a period of 12 weeks from the receipt of this order along with a Bank Draft of Rs.12 lakhs in favour of the complainant and if such deposit is made learned court below shall release him on bail to its own satisfaction, otherwise the court below may pass any other order(s) as he may deem fit and proper. It is made clear that the aforesaid deposit of amount will be subject to the result of the case.

In the meantime, no coercive step shall be taken against the petitioner.

(Vinod Kumar Sinha, J)

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