

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45119 of 2018

Arising Out of PS.Case No. -1261 Year- 2017 Thana -COMPLAINT CASE District- JAMUI

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1. Raju Ram S/o Late Yamuna Ram, R/o Vill.- Satgama, P.S. & District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ram Chandra Yadav S/o Late Sukdeo Prasad Yadav, R/o Vill. & P.S.- Gidhaur, District- Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Advocate
For the Opposite Party/s : Mr. Ashok Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-08-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Complaint Case No. 1261 C of 2017, registered for offences punishable under Sections 420, 323, 504 of the Indian Penal Code and Section 138 of the Negotiable Instrument Act.

The allegation against the petitioner is that the petitioner has taken Rs. 6,50,000/- from the complainant for executing the sale deed in the name of the complainant but inspite of repeated request neither the petitioner executed the sale deed nor returned the money.

Submission of the learned counsel for the petitioner is that the petitioner has already refunded the amount of Rs.



2,90,000/- to the complainant before filing the complaint case out of which payment of Rs. 2,00,000/- admitted by the complainant but did not agree of Rs. 90,000/-. However, the petitioner is ready to refund the rest amount of Rs. 3, 60,000/- in installments within eight months out of Rs. 6,50,000/- and the petitioner has no any criminal antecedent.

Learned A.P.P. has no objection in this regard.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioner, above named, surrenders before the court below within a period of six weeks from the date of the order and on surrender along with a bank draft of Rs. 75,000/- in the name of the Opposite Party No. 2 and thereafter, he will be released on provisional bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Jamui in connection with Complaint Case No. 1261 C of 2017, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. and the rest of the said amount of Rs. 75,000/- will be deposited in five installment in the first week of every month and failure to deposit above amount, his bail bonds shall be cancelled.

It is also made clear that once the total amount is



deposited, his bail bond shall be confirmed and above payment shall be subject to the result of the case and in the meantime for six weeks, no coercive steps be taken against the petitioner.

With the aforesaid, this application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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