

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29166 of 2018

Arising Out of PS.Case No. -624 Year- 2015 Thana -GAYA COMPLAINT CASE District- GAYA
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1. Syed Khalique Rasool @ Syed Md. Khalique Rasool S/o Syed Sadique Rasool, R/o Mohalla- Reekabganj, P.S.- Tekari, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Shah Nawaz Akhtar S/o Late Masood Akhtar, R/o Mohalla- Aliganj Road No. 12, P.S.- Chandauti, District- Gaya.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Sri Amitesh Kumar
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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 31-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.624 of 2015 registered for offences punishable under Sections 420, 120B, 406, 427, 467, 468 of the Indian Penal Code and Section 138 of the N.I. Act.

Allegation against the petitioner is that he has taken power of attorney from the co-accused for sale of a piece of land and made an agreement with the complainant for sale of land at Rs.3,25,000/- and altogether Rs.3,02,000/- has been paid to him but later on complainant refused to purchase the land and demanded money , on which the petitioner has issued two cheques that bounced. The petitioner is mediator in this case and the land



was of the co-accused.

Submission of the learned counsel for the petitioner is that even according to the petitioner cheque of Rs.1,35,000/- has been received by the informant. Further submission is that even according to the prosecution case, Rs.1,35,000/- has been received through cheques and he is ready to deposit Rs.1,35,000/- in some reasonable time is given to him.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail stating that altogether Rs.3,02,000/- has been received by the petitioner, which will appear from the deed of the agreement.

Having heard both sides and in view of the facts and circumstances, as discussed above, this application is disposed of with direction to the petitioner to surrender within a period of eight weeks from the date of receipt of the order along with a bank draft of Rs.1,35,000/- payable in the name of the complainant in this case and once the amount is deposited, he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM Vth, Gaya in connection with Complainant Case No.624 of 2015 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure



One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court. The aforesaid so deposited shall be subject to result of the case.

No coercive step shall be taken against the petitioner for eight weeks.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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