

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14909 of 2018

Arising Out of PS. Case No.-382 Year-2017 Thana- DANAPUR District- Patna

Praveen Kumar, Son of Sri Maheswari Prasad Singh, Resident of Village-
Vidyanand Maheswari Complex, Sudha Dairy Booth Road, Manglam Vihar,
Saguna More, Baily Road, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nirbhay Kumar Singh

For the Opposite Party/s : Mr. SRI RAJKISHORE SINGH

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 28-03-2018 Heard learned counsel for the petitioner and the learned APP
for the State.

Petitioner, already in custody, seeks bail in connection with
Danapur P.S. Case No.382 of 2017, registered under Sections
406/420/387/506/34 of the Indian Penal Code. Later on Section
138 of the N.I. Act was also added.

Allegation in brief is that the petitioner took friendly loan of
Rs.6,75,000/- from the informant and Rs.4,50,000/- from the sister
of the informant. Later on the petitioner issued cheques to return
back the money but bounced.

It is contended by learned counsel appearing on behalf of the
petitioner that in fact there was a dispute relating to purchase a flat
as the informant had booked a flat through the petitioner, who is a
builder and flat could not be handed over Rs.25,00,000/- after



negotiation was returned back and in this regard there is dispute raised by the informant regarding rate of interest of the deposit amount relating to the flat, so he has instituted few cases in the Consumer Forum and the petitioner is in custody since 30.12.2017; whereas the learned counsel appearing on behalf of the informant submits that it is a separate exclusive transaction, the informant had booked a flat but this is a separate transaction and this shows in his accounting book also.

Having considered the nature of allegation and the material on record, petitioner Praveen Kumar is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Danapur in connection with Danapur P.S. Case No.382 of 2017 with a condition that the petitioner shall remain physically present on each and every date before the trial court and if he absents himself on two consecutive dates without any reasonable cause, his bail bond shall liable to be cancelled.

(Arun Kumar, J)

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