

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.316 of 2019

Arising Out of PS. Case No.-235 Year-2018 Thana- BIDUPUR District- Vaishali

Chandrashekhar Pandey S/o Late Shatrudhan Pandey, R/o Village Maheshwarpur, P.s. Bidupur, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kunal Gautam, son of Chandeshwar Pd. Singh, resident of village & P.O. Maniyarpur, P.S. Bidupur, Dist. Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi
For the Opposite Party/s : Mr. Arun Kumar Singh -5

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-09-2019 Petitioner seeks bail in anticipation of his arrest in connection with Bidupur P.S. Case No. 235 of 2018 registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

According to prosecution case, informant gave Rs.7 lac to the company of the petitioner, who is Managing Director of the company, for providing simplex house by the petitioner but neither he has provided house nor money has been returned to him.

Submission of learned counsel for the petitioner is that he got sale deed executed through his agent Dhruv Kumar Singh, which is Annexure-2. However, he failed to satisfy this Court as to whether any agreement has been arrived at between the petitioner and opposite party No.2 with respect to above arrangement.

On the other hand, learned counsel for opposite party No.2



has submitted that he has deposited amount to the company of the petitioner for providing him constructed house to him and he has given the amount separately to Dhruv Kumar Singh with respect to purchase of land, which has no connection with the payment already made to the petitioner's company.

Heard learned APP also.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. He may surrender and pray for regular bail.

It is also made clear that in spite of the above order it is always open to opposite party No.2 to settle the dispute between him and opposite party No.2 and if any settlement is reached and he brings the same to the notice of learned court below at the time of filing of regular bail, the same shall be considered while considering prayer for bail of the petitioner.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

spal/-

U		T	
---	--	---	--

