

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6018 of 2019

Arising Out of PS. Case No.-285 Year-2018 Thana- DANAPUR District- Patna

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UMESH PASWAN son of Late Basudeo Paswan Resident of village-Rampur,
Devi Asthan, P.S.-Khagaul, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Dular Sah

For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-03-2019 This application, for grant of anticipatory bail, arises

out of Khagaul P.S. Case No. 285 of 2018, disclosing offences

under Sections 420, 406, 504, 506/34 of the Indian Penal Code.

Allegation as per F.I.R. is that informant entered into
an agreement with the petitioner on 16.12.2011 for purchasing
land in the name of his wife and he gave total amount of Rs.
10,05,000/- (Rs. Ten Lakhs and Five Thousand), thereafter, the
informant did not desire to purchase the land and contacted the
petitioner for return of his money and made several request but
he was not willing to return the money, however, lastly, he
issued three cheques one cheque of Rs. 3,00,000/- and two
cheques of Rs. 3,50,000/-, out of which one cheque of Rs.
3,00,000/- was encashed, however, two cheques were
dishonored by the bank on presentation and when the informant



contacted the petitioner, he abused and assaulted him.

Learned counsel for the petitioner denied the allegation. However, after some argument, he acceded to return the remaining amount to the informant, of some reasonable time is granted and the same may also be subject to the final outcome of the case.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts and circumstance, petitioner is directed to surrender before the court below within a period six weeks along with a demand draft of Rs.2,00,000/- duly drawn in favour of the informant and the court below after verifying the same, shall release the petitioner on provisional bail to his own satisfaction for a period of four months and in the meantime the petitioner will pay the remaining amount of Rs. 5,00,000/- in two equal installments of Rs. 2,50,000/- and once the entire amount is paid the court below is directed to confirm the provisional bail of the petitioner, otherwise, the provisional bail of the petitioner will be canceled.

The aforesaid amount to be deposited shall be released in favour of the informant, which will subject to the outcome of the case and the informant shall also furnish an undertaking that



if the case is decided in favour of the petitioner, he will have to return the entire money in question to the petitioner.

With the above observation and direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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