

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12114 of 2019

Arising Out of PS. Case No.-374 Year-2018 Thana- MAHUA District- Vaishali

MD. MAHTAB ALAM Son of Late Abdul Gaffar Resedent of Village -
Mahua Mukundpur, P.S.- Mahua, Distt.- Vaishali at Hajipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Lovekush Kumar
For the Opposite Party/s	:	Mr. Manish Chandra Gandhi
For the State	:	Mr. Ajit Kumar.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-06-2019 This application, for grant of anticipatory bail, arises out of Mahua P.S. Case No. 374 of 2018, disclosing offences under Sections 420, 467, 468, 471, 472, 120-B/34 of the Indian Penal Code.

Allegation against the petitioner is that he has taken Rs. Fifty Lakh from the informant, out of which, he has taken Rs. Fifteen lakh in cash and Rs. Thirty Five Lakhs through banking transaction for execution of sale deed with respect to 1.10 acres of land in Mahua and he has also taken a mobile and scorpio vehicle but did not execute the sale deed. Later on complainant came to know that the land in question, does not belong to the petitioner rather the same is of other person and petitioner by erecting the hut in the aforesaid land, has cheated



the complainant.

Submission of learned counsel for the petitioner is that a title suit is pending between the petitioner and other claimant of the said land and further a money suit is also going on between the petitioner and the complainant with respect to the aforesaid transaction. However, after some argument, learned counsel for the petitioner agreed to pay the amount of Rs. Fifty Lakh in question, if some time is granted to him.

Heard learned A.P.P. as well as learned counsel for the complainant.

Having heard both sides, considering the facts and circumstances of the case, let petitioner appears in the court below within a period of eight weeks along with a bank draft of Rs. Ten Lakhs (Rs. 10,00,000/-) drawn in favour of the complainant and the court below after verifying the same, shall extent the period of provisional bail of the petitioner for a further period of eight months, during which period, the petitioner shall pay the remaining amount of Rs. Forty Lakhs (Rs. Forty Lakhs) to the informant on every two months by an installment of Rs. Ten Lakhs (Rs. Ten Lakhs) and once the total amount of Rs. Fifty Lakhs (Rs. 50,00,000/-) is paid to the petitioner, the court below shall confirm the provisional bail of



the petitioner.

It is made clear that failure on the part of the petitioner to pay any installment shall make him liable for cancellation of his bail bonds.

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

(Vinod Kumar Sinha, J)

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