

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21832 of 2019

Arising Out of PS. Case No.-2580 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Sashikant, aged about 38 years (M), S/o Sri Sudhir Kumar Singh R/o village-
Allauddinchak, P.S.- Punpun, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoji Devi, aged about 42 years, (Female), W/o Satish Prasad R/o village-
Rasilchak, P.S.- Punpun, District- Patna at present residing at Shaidpur
Kothiya, Kurji, P.S.- Digha, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his
arrest in connection with Complaint Case No. 2580(C) of 2018
registered for offences under sections 406 and 420 of the Indian
Penal Code.

As per complaint case, the Complainant Manoji
Devi has raised a grievance that for the purpose of purchase of
land, she had given Rs. 20,00,000/- as advance to the petitioner
against the total consideration amount of Rs. 29,25,000/- but,
the accused persons neither returned the advance amount nor
executed the absolute sale deed in her favour.



Learned counsel for the petitioner submits that whatever amount the Complainant has given to the petitioner, he will return the same to the Complainant.

In that view of the matter, this Court directs the petitioner to deposit a draft of Rs. 20,00,000/- in the court below within a period of six weeks from today and the court below, in turn, will handover the same to the Complainant-opposite party no.2 in presence of the petitioner after taking proper receipt from the Complainant.

Looking to the aforesaid undertaking, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on provisional bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna in connection with Complaint Case No. 2580(C) of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.



If the petitioner submits the draft of Rs. 20,00,000/- in the court below within a period of six weeks from today, the provisional bail granted today, will be confirmed but, in failure, the same will be treated to have been withdrawn.

(Shivaji Pandey, J)

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