

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79025 of 2018

Arising Out of PS. Case No.-124 Year-2017 Thana- NAUTAN District- West Champaran

Shri Yadav @ Sri Rai, S/o Late Mohan Yadav, Resident of village-Chilrao,
P.O-Jagdishpur, Khirwa Bazar, P.S-Turkaulia, Distt.-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Nityanand, APP
For the Informant	:	Mr. Sanjay Kumar No.7, Advocate Mr. Anant Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 23-01-2019 Heard learned counsel for the parties.

In this case, the petitioner is seeking anticipatory bail in connection with Nautan (Jagdishpur) P.S. Case No. 124 of 2017, registered for the offence under Sections 420, 406, 467, 468 and 471 of the Indian Penal Code.

Allegation has been made that for the purchase of 10 Dhurs of land the informant has paid an amount of Rs.7,00,000/- to the petitioner and co-accused, but later on, he could know that the said land belongs to another person. When he demanded the money, the petitioner and co-accused assured the informant to provide job in the Railway, but neither the job was provided nor any money has been returned. When the



informant pressurised to return the money, co-accused, namely, Rahul Yadav had issued three cheques, two cheques of Rs.3,00,000/- each and one cheque of Rs.1,00,000/-, but the complainant did not place the cheque of Rs.1,00,000/- for encashment and the two cheques of Rs.3,00,000/- each returned with a note of dishonoured.

It has been submitted that co-accused, Rahul Yadav, who is the son of the petitioner, has been granted bail in Criminal Miscellaneous No.78825 of 2018 on the ground that he agreed before this Court to return the entire money within nine months.

In view of such commitment given by Rahul Yadav, let the petitioner, namely, Shri Yadav @ Sri Rai, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-cum-Special Judge, Bettiah, West Champaran, in connection with Nautan (Jagdishpur) P.S. Case no.124 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that



whenever the police will call the petitioner for the purposes of investigation and interrogation, he will remain present for the same. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

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