

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30398 of 2019

Arising Out of PS. Case No.-369 Year-2017 Thana- MOTIHARI TOWN District- East
Champaran

NAWAL PRASAD @ NAWAL KISHORE PRASAD Son of Anirudhya
Prasad Resident of Mohalla - Bailey Sarai, Motihari, P.S.- Motihari (Town),
District - Eest Champaran..... Petitioner/s

Versus

The State of Bihar..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastva
For the Opposite Party/s : Mr.Bhanu Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 08-05-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehend his arrest in connection with
Motihari (town) P.S. Case No. 369 of 2017 (GR No. 3030 of
2017), registered for the offences punishable under Sections 406
and 120 of the Indian Penal Code and under Section 138 of the
Negotiable Instruments Act.

Co-accused Dheeraj Shrivastva is agreed to sale out
the land standing in the name of his wife to the informant for
consideration of Rs. 15,00,000/- and received Rs.12,00,500/- in
advance but he did not execute the sale deed in his favour. On
putting pressure upon him he handed over a cheque of
Rs.12,00,500/- to the informant but on presentation the said
cheque was bounced due to insufficient amount in the account.

It is submitted by learned counsel for the petitioner



that no such occurrence as alleged ever took place. Petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case. He has never entered into agreement to sale out the land in question to the informant or taken any money or handed over any cheque to the informant. He has been falsely implicated in the case as he happens to be the father of the co-accused Dheeraj Shrivastava with whom the transaction took place. He has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihar, East Champaran in connection with Motihari (Town) P.S. Case No. 369 of 2017 (G.R. No. 3030 of 2017), subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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