

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30001 of 2019

Arising Out of PS. Case No.-482 Year-2018 Thana- KESARIA District- East Champaran

Ganesh Ram S/o Late Sukhram Ram R/o village- Bahura Haribansh, P.S.-
Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 07-05-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory bail
in connection with Kesariya P.S. Case No. 482 of 2018,
registered for the offence punishable under Section 406, 420 of
the Indian Penal Code and Section 138 of N.I. Act.

Allegation has been made that the informant has
given Rs. 1,00,000/- for purchase of a piece of land to Shambhu
Kumar by way of advance and when the informant arranged rest
consideration amount of land, he requested accused persons to
get registered the said land to him, but the accused persons
started evasion and they demanded consideration amount of said
land as Rs.5,00,000/- in place of Rs. 3,00,000/- and when the
informant went to the house of accused persons and demanded
his money, the co-accused Shambu Kumar gave a cheque of Rs.



25,000/- and assured that he would return the rest amount of Rs. 75,000/- within a month. When the informant deposited the said cheque in the Bank, the same has been bounced. Thereafter, accused person refused to get registered the land or to return money and also abused and assaulted him.

Learned counsel for the petitioner submits that he is nowhere connected with the said transaction as the money was given to Shambhu Kumar and he had given a cheque. The petitioner is father of Shambhu Kumar.

Looking to the entire facts and circumstances of the case, let the petitioner, above-named, 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 Chief Judicial Magistrate, Motihari, District-East Champaran in connection with Kesariya P.S. Case No. 482 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

V.K.Pandey/
S. Katyayan/-

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