

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33849 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- KOTWALI District- Patna

Md. Khalid Rashid, Son of Late Yusuf Ali Resident of Flat No. 102, GMK Apartment, Samanpura, behind Paras HMRI Hospital, P.S.- Shastri Nagar, District- Patna.

... .. Petitioner

Versus

1. The State Of Bihar,
2. Murli Prasad Mandal Son of Sri Shyam Sundar Mandal Resident of Bhawanipur, P.O. and P.S.- Jagadishpur, District- Bhagalpur.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 15-07-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kotwali P.S. Case no. 105 of 2019, registered under Sections 406, 409, 420 and 120(B) of the Indian Penal Code.

The accusation is that the petitioner, being the builder, took Rs. 20 Lakhs from the O.P. No.2, but he did not give the flat to the informant. On repeated demand, petitioner handed over four cheques each of Rs. Five lakhs, out of which, one cheque of Rs. Five lakhs was encashed by the informant and remaining three cheques of Rs. 15 Lakhs were dishonoured.



Learned counsel for the petitioner submits that petitioner is ready to pay Rs. 15 Lakhs, in installments, to the informant/O.P. No.2.

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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 105 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further condition that petitioner will handover the draft of Rs. 7,50,000/- (Seven Lakhs Fifty thousand) to the informant at the time of furnishing of bail bond and remaining Rs. 7,50,000/- (Seven Lakhs Fifty thousand) will be paid by the petitioner to the informant through draft within three months, if the petitioner fails to pay the said amount to the informant within the stipulated time, the court below will be at liberty to cancel the bail bond of the petitioner.

(Rajendra Kumar Mishra, J)

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