

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43887 of 2019

Arising Out of PS. Case No.-549 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Amod Kumar Amod S/o Nathuni Prasad Resident of Maurya Girls Hostel,
Naya Tola, P.S.- Kadamkuan, District- Patna Permanent resident of village-
Manikpur, P.O.- Kabarpur, P.S.- Suryagarha, District- Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nand Kumar S/o Late Karu Sao R/o village- Purani Bazar, Bakhtiyarpur,
P.S.- Bakhtiyarpur, District- Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anant Kumar 1
For the Opposite Party/s : Mr.Binod Kumar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-07-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No.549C of 2016 for the offence allegedly committed by
the petitioner under Section 420 of the Indian Penal Code.

The gist of allegation that the complainant gave Rs.1
lac in cash and Rs.20 lacs through cheque to the petitioner for
purchase of a piece of land or flat but neither or flat was made
available to the complainant nor money was returned to the
complainant.

On query, learned counsel for the petitioner submits
that the petitioner received Rs.20 lacs through cheque from the
complainant and he is ready to return the same in three



installments within three months.

Learned counsel for the complainant submits that if the money is returned, he has got no objection.

Considering the facts and circumstances, the petitioner is directed to surrender in the court below within four weeks from the date of receipt/production of a copy of this order and the court below shall enlarge the petitioner on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M. III, Barh in connection with Complaint Case No.549C of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. with further condition that the petitioner shall return Rs.10 lacs through cheque within one month from today and thereafter the petitioner shall return the remaining Rs.10 lacs in two installments each of Rs.5 lacs within two months thereafter and if the petitioner did not return the entire amount of Rs.20 lacs within three months from today, the learned court below shall cancel the bail bond of the petitioner and shall take steps for taking the petitioner in custody in accordance with law.

(Prabhat Kumar Jha, J)

Harish/-

U			
---	--	--	--

