

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56176 of 2018

Arising Out of PS. Case No.-334 Year-2018 Thana- BUXAR District- Buxar

Radhe Shyam Mishra Son of Shri Rameshwar Mishra Resident of Village Bisopur, P.S. Kargahar, District - Rohtas at presently resides at Veer Kunwar Singh, Street No. 3, P.S. Buxar T, District - Buxar.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Amresh Pratap Singh Son of Shri Awadh Bihari Singh Resident of Village Boksa, Post Boksa, P.S. Buxar M, District - Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dineshwar Pandey
For the Opposite Party/s : Mr.Sri Nityanand

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

6 22-04-2019 Heard the parties.

Petitioner seeks pre-arrest bail in Buxar (T) P.S.Case No.334 of 2018 registered under Sections 420, 406 of the Indian Penal Code and Section 138 of Negotiable Instrument Act.

Accusation is that this petitioner assured the informant opposite party no.2 to provide job on payment of Rs.7,00,000/-. Accordingly, the informant paid Rs.6,12,000/- to the petitioner out of which Rs.1,00,000/- paid in the Account of the petitioner in Axis Bank and the rest was paid in cash at four different occasions but neither job was provided nor the amount was refunded to the informant and when the informant made demand a cheque of the aforesaid amount



was given to the informant but the same was not credited in the Account of O.P.No.2 due to insufficient amount in the Account.

Submission on behalf of the learned counsel for the petitioner is that in fact the dispute between the petitioner and the informant O.P.No.2 has been settled and accordingly compromise petition has been filed in the court of the Chief Judicial Magistrate, Buxar, on 13.03.2019 which would appear from Annexure-3 to the supplementary affidavit filed on behalf of the petitioner.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the learned court below within six weeks from today be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the C.J.M.,Buxar, in Buxar (T) P.S.Case No.334 of 2018. subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Rajendra Kumar Mishra, J)

aks/-

U			
---	--	--	--

