

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58906 of 2018

Arising Out of PS. Case No.-41 Year-2017 Thana- KOTWA District- East Champaran

Pramesh Kumar @ Pramesh Kumar Shrivastva Son of Sheo Kumar Shrivastava, resident of Mohalla- New Gopalpur, Motihari, Police Station- Motihari Town, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Sri Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 03-07-2019 This application, for grant of anticipatory bail, arises out of Kotwa P.S. Case No. 41 of 2017, disclosing offences under Sections 420, 406 /34 of the Indian Penal Code.

Allegation as per F.I.R. is that petitioner and his brother in law has taken Rs. Ten Lakhs from the informant for execution of sale deed of a land, which is in the name of brother in law of the informant but later on the said brother in law of the petitioner refused to execute the sale deed and on demand by the informant, petitioner issued two cheques of Rs. Four lakhs and two lakhs, which were dishonored by the bank on presentation.

Submission of learned counsel for the petitioners is that whole allegation is false and concocted and there is no agreement available on record. Further, the witnesses during



course of investigation has stated that petitioner has returned the amount and only Rs. 1,68,000/- is due and that has also been given to the informant later on.

Heard learned A.P.P. as well as learned counsel for the informant. They have opposed the prayer for bail.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Kotwa P.S. Case No. 41 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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