

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47172 of 2019

Arising Out of PS. Case No.-309 Year-2017 Thana- MOTIHARI MUFASIL District- East
Champaran

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BHOLA PASWAN, aged about 46 years, Son of Ram Pulish Ram
Resident of Village - Bara Bariyarpur, P.S.- Chhatauni, Dist.- East
Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Suraj Kumar, son of late Brij Kishore Prasad, R/V – Naya Gao. P.S. -
Kesariya, District – East Champaran.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4. 14-10-2019 Heard learned counsel for the petitioner, learned
counsel for the informant as also learned Additional Public
Prosecutor for the State.

The petitioner is seeking anticipatory bail in
connection with Muffasil P.S. Case No. 309/2017 registered
under Sections 406/420 of the Indian Penal Code.

Learned counsel for the petitioner and the informant
have in course of argument agreed that the petitioner shall pay a
sum of Rs. 2,50,000/- which is the cheque amount to the
informant within four weeks from today by way of a demand
draft payable in favour of the informant.

Learned counsel for the informant submits that on
encashment of the said demand draft the petitioner would



execute a relinquishment deed of the land in favour of the vendors, however the cost of registration would be required to be borne by the vendors.

In the given facts and circumstances of the case where the petitioner has undertaken to refund the amount of Rs. 2,50,000/- to the informant by way of demand draft within four weeks from today and thereupon the informant shall execute a relinquishment deed at the cost of the petitioner, let the above-petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, in connection with Muffasil P.S. Case No. 309/2017, subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure and further condition that while submitting the bail bond the petitioner shall place on record the proof of payment of Rs. 2,50,000/- in form of demand draft in favour of the informant.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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