

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4398 of 2019

Arising Out of PS. Case No.-183 Year-2016 Thana- DELHA District- Gaya

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Sunil Kumar Tiwari Mukhari Tiwari Resident of Mohalla - Aakhori, P.O.-
Karahua/Rohaniya, P.S.- B.H.U., District - Baranasi (U.P.) at present residing
at Village- Babhangaown, P.S.- Chenari, District -Rohtas (Bihar)

... .. Petitioner/s

Versus

1. The State Of Bihar and Anr Bihar
2. Surendra Yadav Late Karu Yadav Resident of Mohalla - Khar Khura
Bhaluyahi, P.S.- Delha, District- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Binay Kumar Singh, Advocate
For the Opposite Party/s :	Mr.Ashok Kumar Singh, Advocate
	Mr. Pradhan Murli Manohar Prasad, Advocate
	Mr. Raju Kumr Goswami, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-03-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Delha P.S.Case No. 183 of 2016, registered for offences punishable under Sections 406, 420 of the Indian Penal Code and Section 138 of the N.I.Act.

Allegation as per F.I.R. against the petitioner is that the informant has purchased the land at Varanasi and he paid Rs. 5,50,000/- to the petitioner but the petitioner neither executed the sale deed nor returned the money and thereafter, the petitioner gave a cheque of Rs. 5,50,000/- which was bounced due to insufficient fund.

Submission of the learned counsel for the petitioner is that the petitioner has no role in this case and he has falsely



been implicated in this case and the petitioner is ready to return the money to the informant if reasonable time was granted to him.

Heard learned A.P.P. as well as learned counsel for the informant opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the petitioner to surrender before the learned court below within six weeks from the receipt/production of the order of the Court from today with Bank draft of Rs.one lac in favour of the Opposite Party No.2 and rest amount be paid in the first week of each month and the petitioner shall be released on provisional bail to the satisfaction of this Court below for a period of four months and within four months, the petitioner will pay the remaining amount as a Bank draft, on which the bail bond of the petitioner shall be confirmed, otherwise the learned Court below is free to pass any other order or orders, which may be deemed fit and proper.

This application is accordingly, disposed of.

(Vinod Kumar Sinha, J)

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