

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78825 of 2018

Arising Out of PS. Case No.-124 Year-2017 Thana- NAUTAN District- West Champaran

Rahul Yadav, S/o Shri Yadav, R/o Village- Chilrao, P.O.- Jaishighpur, Khirwa
Bazar, P.S.- Turkaulia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-01-2019 This application, for grant of anticipatory bail, arises out of Nautan (Jagdishpur) P.S. Case No. 124/17, disclosing offences under Sections 420, 406, 467, 468, 471 of the Indian Penal Code.

Allegation against the petitioner and his father that they have taken Rs. 7 lakhs for the sale of ten dhurs of land, however, later on the informant came to know that the land belongs to some other person and when he demanded his money, the petitioner and co-accused assured the informant and his brother to provide a Government Job in Railway but neither the job was provided nor the money was returned and when the informant pressurized to give his money, petitioner issued three cheques two cheques of Rs. 3,00,000/- each and one cheque of



Rs. 1,00,000/-, which were dishonored by the bank on presentation.

Submission of learned counsel for the petitioner is that there was only transaction of six lakhs, out of which, he has already returned Rs. 1 lakh to the informant and remaining five lakhs, he is ready to pay if some reasonable time is allowed.

Heard learned A.P.P. as well as learned counsel for the informant.

Having heard both sides, considering the facts and circumstances, this application is disposed of with direction to the petitioner to surrender before the court below within a period of six months along with a bank draft of Rs. 2,50,000/- duly drawn in favour of the informant and the court below after verifying the same shall release the petitioner on provisional bail for a period of three months, during which period, he will deposit the remaining amount by bank draft duly drawn in favour of the informant and only after payment of full amount, the court below shall confirm the provisional bail of the petitioner, otherwise he is free to pass any order as he deems fit and proper.

Needless to say, the aforesaid amount so deposited by the petitioner shall be released in favour of the informant.



The above amount, which is to be deposited by the
petitioner will be subject to the final outcome of the case.

(Vinod Kumar Sinha, J)

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