

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72915 of 2019

Arising Out of PS. Case No.-452 Year-2019 Thana- DANAPUR District- Patna

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AJEET KUMAR Son of Ishwara Nand Singh @ Ishwa Nand Singh R/O -
Gola Road, Bichali Gali, Danapur, P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ansul
		Mr.Sanjiv Sharan
For the Opposite Party/s :		Mr.Shyam Kumar Singh
For the informant	:	Mr. Madanjit Kumar
		Ms. Kanchan Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 18-12-2019 Heard learned Counsel for the petitioner, learned

Counsel for the informant and learned Additional Public

Prosecutor for the State.

The petitioner seeks bail in connection with Danapur
Police Station Case No. 452 of 2019, registered for the offences
punishable under Sections 420/406/34 of the Indian Penal Code
and Sections 138 of the Negotiable Instruments Act.

The prosecution story, as per the First Information
Report, is that the petitioner had received a sum of Rs.
16,00,000/- from the informant for the purpose of executing a
sale deed of a piece of land belonging to the petitioner, but after
receipt of the entire consideration amount, the sale deed was not



executed by the petitioner in favour of the informant and the petitioner by way of refund handed over three cheques, amounting to Rs. 16,00,000/-, to the informant which subsequently bounced for insufficient fund.

Learned Counsel for the petitioner submits that the petitioner is ready to refund the entire amount of Rs. 16,00,000/- in eight equal monthly instalments of Rs. 2,00,000/- each.

The offer made by the petitioner has been accepted by the informant.

Both the parties have also agreed that after payment of the entire amount of Rs, 16,00,000/- by the petitioner to the informant, the parties will compromise/withdraw respective cases filed by them against each other.

It has been submitted by learned Counsel for the parties that Danapur Police Station Case No. 452 of 2019 (present case) and Complaint Case No. 1044 of 2019 have been filed by the side of the informant and Complaint Case No. 1663 of 2019 and Complaint Case No. 1835 of 2019 have been filed by the side of the petitioner.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties have agreed to settle their disputes amicably and the



petitioner is ready to return the entire amount of Rs. 16,00,000/- to the informant by way of instalments as above, I am inclined to enlarge the petitioner on bail.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Danapur, in connection with Danapur Police Station Case No. 452 of 2019, subject to the conditions that (i) one of the bailors of the petitioner shall be his father (ii) the petitioner shall abide by the terms and conditions as agreed and (iii) at the time of furnishing bail bond on behalf of the petitioner, proof of payment of first instalment of Rs. 2,00,000/- shall also be annexed with the bail bonds.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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