

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78325 of 2019

Arising Out of PS. Case No.-184 Year-2019 Thana- MALSALAMI District- Patna

RAKESH RANJAN Son of Late Bhola Prasad Karn Resident of Ganesh Lal Road, Hajiganj, P.S. - Chowk, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dipak Ranjan
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-12-2019 Heard the parties.

The petitioner seeks regular bail in connection with Malsalami P.S.Case No.184/19 registered for offences punishable under Sections 406/420 of the Indian Penal Code.

AS per FIR, petitioner has taken Rs.90 lac for execution of the sale-deed with respect to sale of 10 kathas of land bearing Tauji No.303, Thana No.11, Khata No.549, Khesra No.1140, Jamabandi No.905 and an agreement was also executed. It is stated that Rs.06 lac was given by cheques. It is also alleged that in spite of that he has not executed the sale-deed and later on he has given three cheques of Rs.30 lac in order to return the amount has been dishonoured on presentation.

Submission of the learned counsel for the petitioner is that it looks absurd that such huge amount will be given in cash and only Rs.06 lac was paid by cheque out of them he has returned Rs.05 lac, which appears from annexure 3 and so far bouncing of the cheque is concerned that has been given for security, which has been presented without his consent. It has



also been submitted that petitioner is in custody for more than four months and there is no chance of tampering with the evidence as charge sheet has already been submitted.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that agreement discloses payment of Rs.90,00,000/- to the petitioner.

Having heard both sides and in view of custody of the petitioner, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM IVth, Patna City, District Patna in connection with Malsalami P.S.Case No.184 of 2019 with further condition to co-operate in the disposal of the trial and appear as and when required by the learned trial court otherwise his bail bond shall be cancelled.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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