

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67749 of 2019

Arising Out of PS. Case No.-389 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

=====

RAJU SINGH @ RAJU KUMAR SINGH S/o Surendra Singh R/o village-
Baikathpur, P.S.- Khusrupur, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rohit Kumar Jha S/o Late Amirilal Jha Resident of Rajlaxmi Nursing Home,
Mulchand Road, P.S.- Patrakar Nagar, District- Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Adv.

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha, APP

=====

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 22-06-2020 Heard learned counsel appearing for the petitioner as

well as learned Additional Public Prosecutor appearing for the

State assisted by learned counsel for the O.P. No.2 through

video conferencing.

Petitioner apprehends his arrest in connection with

Complaint Case No.389(c) of 2016 registered for the offences

punishable under Section 420 IPC and Section 138 of the N.I.

Act.

At the very outset, learned counsel for the petitioner

submits that petitioner wants to return Rs.2 lacs, which is

amount of bounced cheque, to opposite party no.2. He further

submits that as a matter of fact, an agreement for sale was



executed between the parties, but on account of some reasons the absolute sale deed could not be executed and even if the dispute appears to have civil in nature, then also the petitioner wants to return the above stated amount to the petitioner within two months.

Learned counsel appearing for the opposite party no.2 submits that O.P. No.2 is also ready to take the amount of two lacs subject to raise claim in respect of remaining amount.

In the aforesaid facts and circumstances of the case as well as submission of the parties, petitioner, namely, Raju Singh @ Raju Kumar Singh, in the event of his arrest/surrender within six weeks from the date of receipt of this order to the Court concerned, shall be released on bail provisionally till 02.09.2020, on furnishing bail bonds of Rs.10,000/-(ten thousand) within two sureties of the like amount each to the satisfaction of learned Sub-Judge, IInd, Patna in connection with Complaint Case No.389(c) of 2016, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that petitioner shall file draft of rupees two lacs prepared in the name of opposite party no.2 before the court on or before 02.09.2020 and if petitioner does so, the learned court below shall confirm the provisional bail of the



petitioner, but if petitioner fails to do so, the learned court below shall not pass any order regarding confirmation of provisional bail or extension of period as stated above.

In the aforesaid manner, this anticipatory bail stands disposed of.

(Hemant Kumar Srivastava, J)

Prakash Narayan /-

U		T	
---	--	---	--

