

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74149 of 2019

Arising Out of PS. Case No.-15 Year-2019 Thana- BUNIYAD GANJ District- Gaya

RAJESH KUMAR Son of Manoj Paswan Resident of Village - Katari Hill,
P.S.- Chandauti, District - Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Shrawan Kumar Son of Saryu Sao Resident of Mohalla - Baijnath Sahay
Lene, P.S.- Buniyadganj, District - Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-02-2020 Heard the parties.

This application is for grant of regular bail in connection with Buniyadganj P.S.Case No.15 of 2019 for the offences under Sections 406, 420, 504 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

As per the FIR, petitioner agreed to sale one katha of land to the informant and for that the informant paid Rs.06 lac but he has not executed the sale-deed and when the informant pressurized he issued a cheque but himself stopped the payment of the cheque from the bank and when the informant complained he asked the informant to produce the cheque again and thereafter he again stopped the payment of the



cheque.

Submission of the learned counsel for the petitioner is that as the whole allegation is false and concocted. The petitioner has given two cheques in connection with other matters, which he has produced without information to the petitioner and he is in custody since 28.8.2019.

On the other hand the learned counsel for the informant to whom notice was issued on submission of the learned counsel for the petitioner that he is ready to settle the dispute and provisional bail has been granted to him. It is the petitioner who both the times stopped the payment of the cheque and that shows his intention of cheating.

Heard learned A.P.P. also.

Having heard both sides and in view of submissions as made above, this application is dismissed, however, the petitioner is always at liberty to renew his prayer for bail , if matter is settled between the parties..

The provisional bail earlier granted to the petitioner, vide order dated 27.11.2019 is withdrawn.

Let a copy of this order be communicated to the court concerned at once and the petitioner is directed to surrender within a period of one week in the court below.



With the aforesaid observation, this application is
dismissed.

(Vinod Kumar Sinha, J)

chn/-

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

