

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2769 of 2020

Arising Out of PS. Case No.-1038 Year-2013 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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LAKHAN LAL SINGH @ LAKHAN LAL Son of Chandrama Singh
Resident of Village - Koluha Road Payonear Shcool, Bairiya, P.S.- Ahiyapur,
Distt - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ravindra Kumar Son of Ram Jiwan Singh Resident of Village -
Akhatiyarpur Patedha, P.S.- Sarai, Distt - Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar, Advocate.
For the Informant	:	Mr. Awadhesh Kumar Singh, Advocate.
For the Opposite Party/s	:	Mr. Binod Kumar No.3, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 08-12-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 406 of the Indian Penal Code and Section 138 N.I. Act.

The petitioner is said to have taken Rs.8 lakhs from the complainant as earnest money for one kataha land and he promised to pay rest 7 lakhs to the complainant at the time of execution of the sale deed and when the complainant demanded the said 8 lakhs from the petitioner, he issued a cheque which got dishonored.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. As a matter of fact, petitioner and the complainant were engaged jointly in the property dealing and the petitioner had handed over some signed blank cheque to the complainant for the purpose of the said business. Due to ill motive, complainant got the cheque bounced and lodged the present case against him. Learned counsel for the petitioner further submitted that the petitioner is ready to pay the aforesaid amount of Rs.8 lakhs in four equal installments.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Vaishali Complaint Case No. 1038 of 2013, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to further condition that the petitioner will pay first installment of Rs.2 lakhs to the complainant at the time of



furnishing bail bond and rest amount will be paid in next three months as per the undertaking given by learned counsel for the petitioner.

It is made clear that if the petitioner fails to abide by the aforesaid undertaking, the learned Court below will be at liberty to cancel the bail bond of the petitioner.

(Anjani Kumar Sharan, J)

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