

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28438 of 2020

Arising Out of PS. Case No.-2531 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Uday Bahadur Singh, Son of Amir Singh, Resident of Village- Jhakhra, P.S.-
Govind Ganj, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Gupta, Wife of Raju Kumar, Residence of Village- Areraj, P.S.-
Govindganj, District- East Champaran at Motihari.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. APP.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-01-2021 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending arrest in connection
with Complaint Case No. C-2531 of 2017 for the offence under
Sections 420 and 406 of the Indian Penal Code.

It is alleged that the petitioner promised to execute the
sale deed after receiving Rs.7,00,000/- and odd but he had not
executed sale deed and thereafter Panchayati took place and the
petitioner agreed to refund the amount and issued a cheque of
Rs. 7,65,000/-, but the same stood dishonoured.

Learned counsel for the petitioner submits that the
present case is a pressure tactics and no case as alleged in the
F.I.R. is made out against the petitioner.



Considering the totality of the facts situation, the petitioner named above, in the event of arrest or surrender before the court below within one month from the date of receipt of a copy of this order, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of 4th Judicial Magistrate, Sadar, Motihari in connection with Complaint Case No. C-2531 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the further conditions:

(i) The petitioner shall not execute any sale deed with regard to any land without prior permission of the court below.

(ii) The petitioner shall deposit Rs.50,000/- (Fifty thousand) cash in the court below and the same shall be abide by the final outcome in the trial i.e. if the petitioner is acquitted the amount of Rs.50,000/- shall be refunded in favour of the petitioner, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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