

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25844 of 2022

Arising Out of Case No.-2692 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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KUNAL CHAUDHARY SON OF LATE BRAJ KISHOR CHAUDHARY
RESIDENT OF VILLAGE- BASWARIYA BELWA TOLA MAHIMA
FOUNDATION, P.S- MUFFASIL MOTIHARI, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. DILIP KUMAR DILIP SON OF LATE HARICHARAN SINGH
RESIDENT OF MOHALLA- CHHATAUNI CHOWK , P.S- CHHATAUNI,
DIST- EAST CHAMPARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Abhishek Kumar
For the Opposite Party/s :	Mr.Anil Kumar
	Mr. Vijay Shanker Srivastava

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-09-2022 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 406/ 120B of the
Indian Penal Code.

As per the prosecution case, this petitioner received
Rs. Two lac through cheque but he did not execute the sale deed
in favour of complainant.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is further submitted that complainant is renter of
petitioner's father since 1994 and he used to give rent of Rs.



3000/- up to year 2017 to the petitioner and after death of his father in the year 2018 complainant stopped to pay the rent of the shop to the petitioner and hatched a plan to grab the property of petitioner by filing the present false and concocted complaint case. It is next submitted on behalf of petitioner that petitioner is ready to deposit the alleged amount of Rs. Two lac before the court below.

Learned counsel for the Complainant vehemently opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, East Champaran, Motihari in connection with Complaint Case No. 2692 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which, the court below shall be at liberty to cancel the bail-bond of the petitioner as also with condition that the



petitioner shall deposit Rs. Two lac before the court below at the time of furnishing bail-bond. The amount so deposited by the petitioner shall be subject to final outcome of this case.

(Prabhat Kumar Singh, J)

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