

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40347 of 2021**

Arising Out of PS. Case No.-1431 Year-2020 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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PANKAJ KUMAR Son of Late Chandeshwar Prasad Singh Resident of
Village - Ruphara, P.S. - Sikarganj, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ravikant Kumar Son of Udaynarayan Singh Village - Inargachhi, P.S.-
Sangrampur, Dist.- East Champaran

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs.Shaheen Begum, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

4 05-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects
within stipulated period, the office will place the matter before
the Bench.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 406, 420 of the
Indian Penal Code and 138 of N.I. Act.

Allegedly, the complainant has given Rs.15,00,000/- to
the petitioner for purchase of land but execution was not done.



Thereafter, petitioner is said to have given cheque of Rs.9,50,000/- to the complainant which has been dishonoured.

It is submitted by learned counsel for the petitioner that petitioner and complainant made an agreement in presence of the witnesses, saying that petitioner has returned Rs.8,80,000/- and rest amount of Rs.70,000/- will be returned by 30.09.2021.

Vide order dated 05.07.2022, notice was directed to be issued upon O.P. No.2. As per the office notes dated 31.08.2022, O.P. No.2/complainant has died, as such, notice has returned unserved.

Petitioner is directed to deposit Rs.70,000/- (Rupees Seventy Thousand) in the Nazarat of the court below.

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/Successor Court in connection with Complaint Case No.1431/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, court below is directed to accept the bail bond



of the petitioner after deposit of Rs.70,000/- in the Nazarat and
the same shall be released in favour of legal heirs of the
complainant after due notice.

(Anjani Kumar Sharan, J)

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