

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35969 of 2023

Arising Out of PS. Case No.-532 Year-2020 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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UPENDRA RAM Son of Late Jagarnath Ram Resident of village - Chilraw,
P.S. - Turkauliya, Distt. - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
 2. Ripu Ranjan Singh Son of Late Rangi Singh Resident of mohalla -
Indragachhi, P.S. - Sangrampur, Distt. - East Champaran
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP
Mr.Anurag Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 06-11-2023 Heard learned counsel for the parties.

2. Petitioner apprehends his arrest in a case registered for the
offence punishable u/s 406, 420 of IPC and 138 of the N.I. Act.

3. Allegedly, the complainant with a view to purchase land
from the petitioner, paid Rs.10 Lac to the petitioner in three
installments and thereafter, he came to know that the said land
does not belongs to the petitioner. On repeated demand for return
of the money, the petitioner gave a cheque of Rs.10 Lacs to the
complainant, which got dishonoured.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He has
been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. It is



submitted that there is a civil dispute between the parties and cognizance has been taken under sections 406 and 420 of the IPC and section 138 of the N.I. Act. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for bail by submitting that the petitioner has defalcated the money of the complainant by taking consideration of money for a piece of land, for which, petitioner has taken money from several other persons also.

6. Having regard to the facts and circumstances of the case, since there is civil dispute between the parties and the cognizance has been taken u/s 138 of the N.I. Act, 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.532 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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