

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51024 of 2023

Arising Out of PS. Case No.-306 Year-2023 Thana- KAHALGAON District- Bhagalpur

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ABHISHEK LAL @ LALLU LAL SON OF LATE ASHUTOSH LAL
RESIDENT OF MOHALLAH - VIKRAMSHILA NAGAR KAYASTH
TOLA, P.S. - KAHALGAON, DISTRICT - BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 08-11-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kahalgaon Police Station Case No. 306 of 2023, dated 13.03.2023, disclosing offences punishable under Sections 504/506/384/386 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report lodged by one Arvind Kumar, is that on 13.03.2023, the petitioner demanded rangdari from his mobile phone and abused the informant also. It has been alleged that prior to this, the petitioner used the demand rangdari from the informant, which was also paid by the informant many a times due to the criminal background of the petitioner.



4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to the fact that the informant had entered into an agreement with the petitioner and his family members for purchase of 25 kathas of land, bearing Khata No. 149, Khesra No. 52, situated in the village Andar Nagar Palika, in the district of Bhagalpur. On 30.06.2020, a sum of rs. 5,00,000/- was paid by the informant to the petitioner through Cheque No. 000031, dated 30.10.2020, and some other cheques were given to the family members of the petitioner, who are signatory to the agreement, dated 30.06.2020. The Cheque No. 000031 was produced by the petitioner before the bank for its encashment, but the same has been returned with the note that the account is closed. Accordingly, the petitioner has served a legal notice upon the informant, vide Annexure 3.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there was a sale-purchase agreement between the parties and some amount was given by the informant to the petitioner through cheque, which got dishonored, I am inclined to grant the petitioner privilege of anticipatory



bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released 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 Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgaon Police Station Case No. 306 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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