

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59286 of 2022

Arising Out of PS. Case No.-467 Year-2022 Thana- ALAMGANJ District- Patna

SANJAY KUMAR SON OF LATE MANDGAL PRASAD R/O FLAT NO. 404, SHIVANI INDRA APARTMENT SHRIKRISHNA NAGAR, P.S.- BUDHA COLONY PRESENTLY RESIDING IN FLAT NO. 102, B. BLOCK, KEWAL MUKUND BIHARI DHAM RAM SUCHIT MISHRA PATH SRIKRISHNA NAGAR, P.S.- BUDHA COLONY, DISTT.- PATNA (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Das

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 05-04-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Alamganj P.S. Case No.467 of 2022, registered for the offences punishable under Sections 406, 420, 120(B) of the Indian Penal Code as well as under Section 138 of the N.I. Act.

It is alleged that the complainant/informant gave Rs.13,35,000/- to the petitioner for purchase of land, but the petitioner did not execute the sale deed in favour of the informant. When the complainant/informant demanded his money, the petitioner gave three cheques of Rs.3,00,000/-, Rs.5,00,000/- and Rs.5,35,000/-, but the cheques issued by the petitioner were bounced.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got one criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that the petitioner has already returned Rs.5,76,000/- to the complainant/informant. The petitioner is also ready to return the due amount, i.e., Rs.7,59,000/- in installment.

Considering the facts that petitioner has already returned Rs.5,76,000/- to the complainant and he is also ready to return the due amount, i.e., Rs.7,59,000/- to the complainant/informant in installment, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on **provisional bail for six months** on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Panta City in connection with Alamganj P.S. Case No.467 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

The learned court below is directed to confirm the bail bond of the petitioner after verifying the fact that the petitioner



has already returned the due amount, i.e., Rs.7,59,000/- to the complainant/informant within a period of six months.

(Anjani Kumar Sharan, J)

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