

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66202 of 2022**

Arising Out of PS. Case No.-1093 Year-2021 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Devmuni Singh Son of Late Bechu Singh R/o Vill.- Kohari, P.S.- Bhabua,
Distt.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bhagwan Singh Son of Late Ram Ikbali Singh R/o Vill.- Kudesan, P.S.-
Bhabua, Distt.- Kaimur At Bhabua.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Shyam Bihari Singh, Advocate
For the State	:	Mr. Satyendra Narayan Singh, APP
For O.P. No.2	:	Mr. Kumar Sunil, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 16-05-2023 Heard learned counsel for the parties.

Petitioner apprehends his arrest in connection with
Complaint Case No.1093 of 2021, registered for the offences
punishable under Section 420 of the Indian Penal Code and
Section 138 of the N.I. Act.

As per complaint petition, the petitioner entering into
negotiation for sale of his house, received an amount of Rs.23
lakh and odd from the complainant, but sold the said house to
one Madhuri Devi and on demand the petitioner transferred an
amount of Rs.5 lakh to the complainant through RTGS and
issued a cheque amounting to Rs.18 lakh and odd but on
presentation of the cheque before the Bank, the same has been



dishonoured due to insufficient fund.

Learned counsel for the petitioner submits that 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 is ready to deposit Rs.18,26,000/- in the *Nazarat* of the learned court below, subject to final outcome of the case.

Learned APP for the State as well as learned counsel for the complainant opposed the prayer for grant of anticipatory bail to the petitioner.

Considering the fact that petitioner is ready to deposit Rs.18,26,000/- in the *Nazarat* of the learned court below, 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 bail 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 S.D.J.M., Kaimur at Bhabua in connection with Complaint Case No.1093 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

The learned court below shall accept the bail bond of



the petitioner after verifying the fact that petitioner has already deposited Rs.18,26,000/- in the *Nazarat* of the learned court below.

It is made clear that aforesaid payment, i.e., Rs.18,26,000/- shall be subject to the final outcome of the case.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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