

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72550 of 2022

Arising Out of PS. Case No.-303 Year-2022 Thana- AGAMKUAN District- Patna

Suraj Dev Prasad Singh @ Suraj Dev Prasad Son of Late Jogeshwar Prasad
Resident of Village- Sona Gopalpur, P.S.- Gopalpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 15-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State assisted by learned counsel for the
informant.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 406, 420,
465, 467, 471 and 34 of the Indian Penal Code and Section 138
of the N.I. Act.

As per the prosecution case, the father-in-law of the
informant after his retirement wants to purchase a piece of land
for which he has given three cheques of Rs. 24,00,000/- in the
name of the petitioner and a sum of Rs. 1,51,000/- as cash and
Rs. 15 lacs was given by her father-in-law in the account of
namely Arun Kumar Singh. When her father-in-law said about
meeting the original landlord, the accused persons denied, on



being doubt she came to know that the land owner did not make any agreement to anyone after that the accused persons admitted the forge agreement and said to return back the money. After some days accused persons gave three cheques. All the cheques issued by the accused persons were bounced.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is mediator and there is no specific overt act against the petitioner. The petitioner has deposited the total amount of Rs. 25,51,000/- in the account of co-accused Arun Kumar Singh. The said Arun Kumar Singh has been granted bail by the learned court below, with the condition that he will return the said amount to the opposite party no. 2, as enclosed in Annexure-3 of the bail application. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant opposed prayer for anticipatory bail and submit that the petitioner is also involved in the present case.



Considering the facts and circumstances of the case, nature of the offence and civil dispute between the parties, 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 Agam Kuan P.S. Case No. 303 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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