

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74516 of 2022

Arising Out of PS. Case No.-394 Year-2022 Thana- JAGDISHPUR District- Bhojpur

NANDJEE YADAV @ NANJEE YADAV SON OF LATE MAKARDHWAJ
YADAV R/O VILL.- HETAMPUR, P.S.- TIYAR, DISTT.- BHOJPUR, AT
PRESENT RESIDENT OF NAYAKA TOLA, BIHIYA ROAD S.K. SEVA
SADAN, P.S.- JAGDISHPUR, DISTT.- BHOJPUR AT ARA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Adv
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP
Mr. Saket Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner, learned counsel
for the informant as well as learned APP for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 406, 341, 323, 379,
504 of the Indian Penal Code and section 138 of N.I. Act.

The prosecution story is that, for running a business, the
informant gave Rs.15,00,000/- to the petitioner and when the
informant ask about the profit and loss of the business, the
petitioner ignored him. When the informant demanded his
money, the petitioner gave him two cheques for the total
Rs.13,40,500/- but the cheques bounced back.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He submits that the petitioner was interested to purchase the residential land at Faridabad, therefore, the petitioner and informant approached to property dealer namely, Manish Agrawal. Petitioner paid total Rs.5,93,000/- out of total Rs.6,93,000/- to Manish Agrawal through the informant by way of cheques and cash. He further submits that the petitioner gave six cheques to the informant and Manish Agrawal and paid remaining amount through cash to them in the year 2017 and 2018. He further submits that the petitioner requested to register the land in question or return his money but the informant ignored the request of the petitioner. It is submitted that due to this dispute, the informant has filed the present case against the petitioner and his family members. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as there is a money dispute/money transaction between the parties, let the above named petitioner, be released on bail, in the event of his/her 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 Jagdishpur P.S. Case No.394 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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