

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31911 of 2023

Arising Out of PS. Case No.-14 Year-2019 Thana- BARARI District- Katihar

Rajan Raj Bharti @ Bittu Singh Son Of Vinay Kumar Panjiyara Resident Of
35 Near Kali Mandir Village Ghat Jamini Police Station Jamini Paharpur
District Godda At Present Resident Of C/O Shri Janardan Prasad Mandal Ine
In Fufa House Resident At Bagi Turi Samrukhiy, Ps-Banka, Dist-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikram Singh, Adv

For the Opposite Party/s : Mr.Nirmala Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

10 01-04-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the state as well as

learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in
connection with Barari P.S Case No. 14 of 2019 instituted
under Sections 406, 420, 504, 506 of the Indian Penal Code
and section 138 of N.I Act.

3. As per the prosecution case, the petitioner used
the truck till 26.09.2018, but he paid only Rs.3,02900 to the
informant instead of Rs. 7,25000/-. Later on, the petitioner
issued two cheques of Rs. 1,00,000/- each in favour of
informant, but the same was dishonoured due to insufficient



balance in the account.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It is submitted by the learned counsel for the petitioner that the petitioner has paid Rs. 50,000/- to the informant and he agreed to pay the rest amount dues Rs. 1,50,00,00/- lacs in three equal installment. Out of which Rs. 50,000/- shall be paid in the 2st week of April 2024 and Rs. 50,000/- shall be paid in the 1st week of May 2024 and the last installment of Rs. 50,000/- will be paid in the 1st week of June 2024. It is further submitted that petitioner has clean antecedent as stated in para-3 of the bail petition

5. Learned APP for the State as well as the learned counsel for the opposite party no. 2 supported the contention of learned counsel for the petitioner.

6. Considering the facts and circumstances of the case and submissions of the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs, 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd



Additional Chief Judicial Magistrate, Katihar/ concerned court in connection with Barari P.S. Case No. 14 of 2019 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure with further conditions;-

(i). The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bonds.

(ii) The petitioner is directed to pay all the settled amount to the informant within the stipulated period, failing which, the court below will be at liberty to cancel the bail bonds of the petitioner.

(Chandra Prakash Singh, J)

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