

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47692 of 2023

Arising Out of PS. Case No.-422 Year-2018 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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KAUSHAL KISHORE PANDEY @ KAUSAL KISORE PANDEY @
KAUSHAL KISHOR PANDEY Son of Chandra Dev Pandey Resident of
Village - Brahrup, P.S. - Bhagwanpur, Distt. - Vaishali, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ranjeet Kumar Son of Late Kapil Deo Singh Resident of Village - Brahrup,
P.S. - Bhagwanpur, Distt. - Vaishali, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Prashant Kumar, Adv.
For the Informant	:	Mr. Hemant Kumar, Adv.
For the Opposite Party/s	:	Mr.Nand Kishore Prasad, APP

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

ORAL ORDER

9 11-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Complaint Case No. 422 of 2018 dated
05.03.2018 registered for the offence/s punishable u/ss 420 of
the Indian Penal Code and section 138 of the Negotiable
Instruments Act.

3. As per the prosecution case, on a consideration
amount of Rs. 16,00,000/-, the complainant has expressed his
willingness to purchase in flat at Indirapuram from the
petitioner, for which the complainant had paid 1,50,000/- as



advance and subsequently the complainant had paid Rs. 6,50,000/- to the petitioner through bank account and allegedly paid Rs. 8,00,000/- in cash on different dates. After payment, the petitioner started avoiding registration of that flat. Thereafter, the petitioner demanded to return the said amount, for which the complainant issued cheques which were dishonoured.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the complainant has filed two criminal cases against the petitioner on the same facts i.e. Complaint Case No. 2848 of 2017 and Complaint Case No. 1171 of 2018 with a view to harass the petitioner. It is a case of civil dispute. The petitioner has four other criminal antecedents as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of



the learned court concerned, Vaishali at Hajipur in connection with Complaint Case No. 422 of 2018, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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