

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64639 of 2024

Arising Out of PS. Case No.-152 Year-2017 Thana- GARDANIBAG District- Patna

Praveen Prakash Son of Late Prasad Narayan Singh Resident of Mohalla
Puranderpur, PS- Jakkanpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binay Kumar Singh, Advocate
For the State	:	Ms. Rita Verma, APP
For the Informant	:	Mr. Rudra Deo, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 18-11-2024 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the Informant.

2. The petitioner seeks bail in connection with
Gardanibagh P.S. Case No. 152 of 2017 instituted for the
offence under Sections 406, 420, 506 & 34 of the Indian Penal
Code and Section 138 of the NI.

3. As per the prosecution case, allegation against the
petitioner is of cheating the informant by taking a total Rs.
26,00,000/- (Twenty Six Lakhs) on different dates in the name
of giving him a flat in the apartment, but not constructing the
flat and when the cheque given to the informant for returning
the money were deposited by the informant in the bank for
getting the payment, all the cheques were dishonoured due to



insufficient money in the bank account.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28-07-2023. Petitioner bears five criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel submits that petitioner is a builder and he is ready to pay Rs. 26,00,000/- (Twenty Six Lakhs) in installments as may be fixed by this Hon'ble Court. It is next submitted that petitioner is ready to abide by any conditions as imposed by this Court and he is not likely to abscond if enlarged on bail.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the informant submits that informant has no objection, if petitioner is ready to pay Rs. 26,00,000/- (Twenty Six Lakhs) to the informant.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, the fact that petitioner is ready to pay Rs. 26,00,000/- (Twenty Six Lakhs) to the informant, this Court is inclined to grant bail to the



petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gardanibagh P.S. Case No. 152 of 2017, subject to the following conditions:

(I) The first of the installment to the tune of Rs. 6,00,000/- (Six Lakhs) will be deposited to the informant at the time of filing of bail bonds and thereafter rest amount i.e., Rs, 20,00,000/- (Twenty Lakhs) in five installments within a period of five months from the date of filing of bail bonds.

(II) In case of violation of aforesaid condition, the informant will be at liberty to move for cancellation of bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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