

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64217 of 2023

Arising Out of PS. Case No.-124 Year-2017 Thana- DUMARIAGHAT District- East
Champaran

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Premchandra Giri Son Of Ramesh Giri Resident Of Village -RAMPUR
Khajuriya, Ps- Dumariyaghat, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shatrudhan Rai Son Of Late Baidhnath Rai Resident Of Village -RAMPUR
Khajuriya, Ps- Dumariyaghat, Dist- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Abhay Kumar Roy, APP
For the O.P.2	:	Mr. Devashish Giri, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case in connection with Dumariyaghat P.S. Case No. 124 of 2017, registered for the offences punishable under Sections 406, 420, 34 of the Indian Penal Code and section 138 of the N.I. Act.

3. As per F.I.R., allegation against the petitioner is that he took the consideration money of Rs. 7,00,000/- from the informant and not executed the sale deed in favour of the opposite party no. 2.

4. It is submitted by learned counsel for the petitioner



that the petitioner has falsely been implicated in the present case. Petitioner has got no criminal antecedent mentioned in Para 3 of the bail application. He further submits that there is no such agreement between the petitioner and opposite party no. 2. He further submits that it is a civil dispute/money dispute between the parties.

5. Learned APP for the State as well as learned counsel for the informant have opposes the prayer for bail and submits that in fact there is an oral agreement between both the parties and petitioner has not executed the sale deed in favour of the opposite party no. 2. When the petitioner has not executed the sale deed then he handed a cheque of Rs. 4,75,000/- to opposite party no. 2 and when he deposited the cheque in the bank for encasement the cheque was dishonored due to insufficiency of balance.

6. Having regard to the facts and circumstances of the case and also arguments of the parties and it is a admitted civil/ money dispute between the parties, let the above named petitioner, be released on bail, in the event of his/their arrest, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/



successor Court in connection with Dumariyaghat P.S. Case No.
124 of 2017, subject to the condition as laid down under Section
438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Ranjeet/-

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