

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71427 of 2023

Arising Out of PS. Case No.-476 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

=====

Ranjan Kumar Son of Shashi Bhushan Singh R/O Village - Tekpur, P.S.-
Sitamarhi, District- Nawada.

... .. Petitioner/S

Versus

1. The State of Bihar.
2. Madhuri Devi Wife Of Vinay Kumar R/O Village -DIYAURA, P.S.-
Pakaribarawan, District- Nawada.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Vibhuti Ranjan Sonvadra, Advocate
For the Opposite Party/s	:	Mr.Ram Sumiran Rai, APP
For the Informant	:	Mr. Deepak Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 3 29-02-2024
1. Heard learned counsel appearing on behalf of the petitioner, learned Additional Public Prosecutor appearing on behalf of the State and learned counsel appearing on behalf of the informant.
 2. The accused/petitioner is named in F.I.R. and apprehending his arrest in connection with Complaint Case No. 476/2022, registered for the offences punishable under Sections 420, 406, 421 of the Indian Penal Code but cognizance has been taken under Sections 406 and 420 of the I.P.C.
 3. The allegation against above named petitioner is to cheat complainant for Rs. 10 lacs while entering into a deal regarding purchase of land, a description of land is available in



para-1 of the complaint petition.

4. Learned counsel appearing on behalf of the petitioner submitted that there was previous monetary transaction between the parties, where husband of complainant issued a cheque of Rs. 25 lacs to the petitioner but same was dishonoured in want of insufficient fund and for that a complaint case under Section 138 of the Negotiable Instrument Act was registered against the husband of complainant, for which cognizance has already taken by the concerned Judicial Magistrate. Learned counsel for the petitioner accepted the liability of 10 lacs what he received from complainant but admittedly submitted that same may be adjusted with pending proceedings as arises out of complaint case no. 887 of 2023 pending before the court of Judicial Magistrate 1st Class, Nawada. It is further submitted that if for any of the reason, if petitioner failed to establish its case through complaint case no. C-887/23 before the trial court, the petitioner will return Rs. 10 lacs to complainant with 6% per annum within 30 days of the decision of aforesaid complaint case.

5. Learned APP duly assisted by learned counsel Mr. Deepak Kumar, appearing on behalf of the opposite party no. 2, while opposing the prayer of bail appears in agreement as



submitted by learned counsel appearing for petitioner.

6. Considering the aforesaid facts and circumstances, as the disputes arises out of previous monetary transactions, where learned counsel appearing on behalf of opposite party agreed with the submission as advanced by learned counsel for petitioner to settle monetary dispute, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Nawada/concerned Court, where the case is pending in connection with Complaint Case No. 476/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

veena/-

U		T	
---	--	---	--

