

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7182 of 2024

Arising Out of PS. Case No.-703 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Md. Shamshad Hussain @ M. Samsad S/O Md. Hussain R/O Village- Singhia
Sagar, Ward No. 2, P.S- Banjariya, Distt.- East Champaran At Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Avinash Kumar Rai Son of Sri Dhruv Narayan Rai R/o Mohalla - Sri
Krishna Nagar, P.S. - Motihari Town, Distt. - East Champaran at Motihari

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP
Mr. Anuj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 09-05-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 406 and 420 and other
ancillary sections of the Indian Penal Code.

3. As per the prosecution case, opposite party no.2
gave Rs.20 lacs to the petitioner for purchase of a piece of land.
Petitioner did not register the said land in favour of opposite
party no.2. Thereafter, petitioner returned Rs.6 lacs to opposite
party no.2 and handed over cheque of Rs.14 lacs which got
dishonoured.

4. Learned counsel appearing for the petitioner
submits that the petitioner has returned total money to opposite



party no.2 and only Rs.2.50 lacs is pending with him and he is ready to return the same to opposite party no.2.

5. Learned counsel for opposite party no.2 controverts the submission of the petitioner. He says that the petitioner has not returned cheque money and he has not produced any chit of paper in the support of the fact.

6. Considering the allegation that the cheque of Rs.14 lacs issued by the petitioner got dishonoured when presented by opposite party no.2 in the bank, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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