

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68331 of 2024

Arising Out of PS. Case No.-128 Year-2017 Thana- CHHATAUNI District- East Champaran

Munna Kumar Patel Son of Krishna Chandra Patel R/o Village- Chauriya,
P.S.- Mehshi, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rakesh Kumar S/O - Rajeshwar Prasad Singh, village - Mathiyadih, P/S - Chhatauni, Dist - East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 06-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Chhatauni P.S. Case No. 128 of 2017 dated 29.05.2017 registered for the offences punishable under Sections 420, 406 read with Section 34 of the Indian Penal Code and Section 138 of the N.I. Act.

3. As per the prosecution case, the petitioner had taken Rs. 15,00,000/- from the informant as consideration money of his two bigha land, but the petitioner has neither registered his land in favour of the informant, nor returned the money to him.



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 it is a case of civil dispute. A second supplementary affidavit has been filed on behalf of the petitioner stating therein out of compromise amount that is Rs. 7,00,000/- (Rupees Seven Lakh Only), the petitioner has already paid to the informant Rs. 3,35,000/- (Rupees Three Lakh Thirty Five Thousand Only), whereas the remaining amount of Rs. 3,65,000/- (Rupees Three Lakh Sixty Five Thousand Only) was paid to the informant by the petitioner, during course of argument of the case, the petitioner has handed over a Demand Draft bearing no. 144042 dated 29.11.2024 issued by the Central Bank of India amounting to Rs. 3,65,000/- (Rupees Three Lakh Sixty Five Thousand Only) in the name of the informant which was received by learned counsel for the informant and both the parties made their signature on it which is kept on the record. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.08.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-



named, is directed to 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 learned Judicial Magistrate-1st Class, Motihari, East Champaran in connection with Chhatauni P.S. Case No. 128 of 2017.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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