

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**B.A. No. 7056 of 2018**

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Lalan Prasad, S/o Bishundhari Yadav ..... **Petitioner**  
**Versus**

1. The State of Jharkhand  
2. Vijay Kr. Ojha, s/o late Mukteshwar Nath Ojha ..... **Opposite Parties**

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CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO**

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For the Petitioner : Mr. Diwakar Jha, Advocate  
For the State : A.P.P  
For the O.P. No. 2 : Mr. Rajeev Ranjan Tiwary, Advocate

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**09/28.06.2019** The petitioner and the informant, both are present before this Court.

Petitioner has been made an accused in connection with Sadar P.S. Case No. 487/2015, corresponding to G.R. Case No. 1887/2015 for the offence registered under sections 420/406 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the informant is engaged in contract job and he has taken loan from the petitioner and has returned the same by way of cheque to the petitioner and created a false story. Learned counsel for the petitioner has thus submitted that the petitioner has retired from the post of Junior Engineer and has no criminal antecedent and he has remained in custody since 24.03.2018 till he was granted provisional bail vide order dated 28.08.2018 which was extended till today, as such, the provisional bail granted to the petitioner may be confirmed.

Learned counsel for the informant has submitted that petitioner has committed fraud with him by taking money through cheque and now giving a false plea that he has given cash money to him, though in his account there is no such amount in the balance sheet as cash in hand and as such the petitioner has committed fraud with the informant and thus case under sections 420 and 406 of the IPC is made out.

Regard being had to the facts and circumstances of the case, it appears that the parties were in friendly terms and thereafter some transaction has taken place and the petitioner is claiming that he has cleared the dues by taking cheque from the informant. The petitioner has denied that no such agreement was entered into between the parties with regard to the land in question.

In the facts and circumstances of the case, the petitioner named above who is on provisional bail is directed to furnish bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Hazaribag in connection with Sadar P.S.

Case No. 487/2015, corresponding to G.R. Case No. 1887/2015 with condition that petitioner shall appear before the learned trial court on each and every date till conclusion of the trial.

Learned trial court is directed to expedite the trial.

**(Kailash Prasad Deo, J.)**

Pallavi/