

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14249 of 2015

Arising Out of PS.Case No. -291 Year- 2013 Thana -NAWADA District- NAWADA

1. Saiyad Ainul Haque S/o Late Abdul Matin r/o village - Hargawan, P.S. Manpur, Distt. - Nalanda, at present Islam Nagar, By Pass Road, Nawada, P.S. Nawada, Distt. - Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Dr. Kr.Uday Pratap(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 09-04-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Nawada (Town) P.S. Case No. 291 of 2013 registered under Sections-341, 323, 379, 406, 420, 384, 386 of the Indian Penal Code.

The informant associated the petitioner as his partner in a contract work and in course of aforesaid work, the informant issued several cheques but after completion of the work, when the payment was made, the petitioner refused to give account of the aforesaid amount resulting filing of complaint case which was converted into police case.

It would appear that the police after due investigation, submitted final form showing civil dispute but the learned court below took cognizance of the offence. Moreover, the petitioner has also filed complaint case which was converted into Nawada (Town) P.S. case No. 236 of 2013.

Considering the aforesaid facts and circumstances as well as submission of the parties, I think it proper to extend the privilege of anticipatory to the petitioner and accordingly, let the petitioner named above, in the event of his arrest or surrender within four weeks from the date of receipt/production of copy of the order in the court below, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Nawada (Town) P.S. Case No. 291 of 2013 to the satisfaction of learned Chief Judicial Magistrate, Nawada subject to the conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

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