

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28851 of 2014

Arising Out of PS. Case No. -93 Year- 2013 Thana -SARAN COMPLAINT CASE District- SARAN

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Rajendra Prasad Singh, Son of Sri Shiv Pujan Singh, resident of Mohalla-
Chandmari Road, Police Station-Chapra Muffasil, District-Saran at Chapra
..... Petitioner

Versus

1. The State of Bihar
2. Chandra Lekha Devi, Wife of Late Birendra Singh, Mohalla-A/20,
Prabhu Nath Nagar, P.S. Chapra Muffasil, District Saran at Chapra
..... Opposite Parties

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Appearance :

For the Petitioner : Mr. Bindhyachal Singh,
Mr. Ram Binod Singh, Advocates
For the State : Mr. Jitendra Kumar Singh, APP
For O.P. No.2 : Mr. Sanjay Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 14-10-2015 Heard the learned counsel for the petitioner and learned
APP assisted by learned counsel for the opposite party no.2.

2. The petitioner apprehends his arrest for the
alleged offences under Section 406 of the Indian Penal Code and
Section 138 of the Negotiable Instrument Act registered in
connection with Complaint Case no. 93 of 2013.

3. It is submitted that the accusation that the
petitioner had taken a loan of Rs. 6,00,000/- (six lakhs) is not
substantiated with any material or any chit of paper and the
narration in the complaint in this regard as stated is in vague terms
without specifying dates or mode of making payment of such
amount. It is further submitted that in any event, the dispute of the

present nature has merely civil implication.

4. Learned APP assisted by learned counsel for the opposite party no.2 appears and has been heard.

5. Having regard to the entirety of the facts and circumstances of the case, the provisional bail granted to the petitioner by order dated 24.11.2014 pending in the Court of Mr. P.K. Choudhary, learned Judicial Magistrate, Chapra in connection with Tr. No.4089 of 2014 arising out of Complaint Case No. 93 of 2013 shall stand hereby confirmed, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and also subject to the following further conditions:-

(i) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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