

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27639 of 2015

Arising Out of PS.Case No. -137 Year- 2013 Thana -SHASTRINAGAR District- PATNA

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Surendra Kumar son of Rang Bahadur Singh resident of Bind Ambika Apartment, Flat No.405, Manas Marg sheopuri, P.s Shastri Nagar, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha 2 (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 28-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 419, 420, 406 and 120B of the Indian Penal Code.

Petitioner is a Chairman of a Trust and after entering into an agreement to return money in time had taken huge money from the informant and others for construction of a medical college in the State Jharkhand. Later on, he issued a cheque in favour of the informant for Rs. 25 lacs but that got dishonoured due to insufficiency of fund. Thus, he cheated informant.

It has been submitted on behalf of the petitioner that he has got no criminal antecedent. The present prosecution case is based upon an agreement entered into between the parties on 4.8.2009. As per agreement, if first party, i.e., petitioner fails to discharge his responsibility, then for the same a civil case can be filed. The matter relates to civil dispute between the parties.

On behalf of the State, it is submitted that the petitioner is

named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Patna, in connection with Shastri Nagar P.S. Case no. 137 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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