

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42409 of 2014

Arising Out of PS.Case No. -420 Year- 2012 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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Ram Babu Chaudhary, Son of Late Biyog Lal Chodhary, resident of
Mohalla-Pokhra, Hajipur, P.S.-Hajipur, District-Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.42486 of 2014

Arising Out of PS.Case No. -421 Year- 2012 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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Dinesh Chandra Chaudhary, Son of Shri Niranjana Choudhary, resident of
Mohalla-Mahua, P.S.-Mahua, District-Vaishali at Hajipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr. Misc. No.42409 of 2014 and Cr. Misc. No. 42486 of 2014)

For the Petitioner/s : Mr. Vindhya Keshari Kumar, Sr. Advocate

: Mr. Gautam Kumar Kejriwal, Advocate

For the Informant : Mr. Shyameshwar Kumar Singh, Advocate

For the State : Mr. Abhay Kumar No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 16-04-2015

Since both these applications are inter-related, they

are being taken up together and are disposed of by this

common order.

Heard learned counsel for the petitioners, learned

counsel for the informant and learned Additional Public

Prosecutor for the State.

The petitioners seek anticipatory bail in both these

cases registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code, respectively.

It seems that the brother of the petitioner of Cr. Misc. No. 42409 of 2014, i.e., Dinesh Chandra Chaudhary, issued four cheques in favour of the informant amounting to Rs. 2,00,000/-. The said cheques stood dishonoured, whereupon, the informant filed another case, bearing Town P.S. Case No. 421 of 2012, which has given rise to Cr. Misc. No. 42486 of 2014, seeking anticipatory bail.

Learned Senior Counsel appearing on behalf of the petitioners as well as learned counsel appearing on behalf of the informant do not dispute the fact that the same transaction of Rs. 2,00,000/- is involved in both the cases. Learned counsel for the petitioners states, which is admitted by learned counsel for the informant that a sum of Rs. 85,000/- has been paid to informant out of the total of Rs. 2,00,000/- Learned counsel for the informant submits that the informant shall have no grievance if the entire remaining amount of Rs. 1,15,000/- is paid to the informant in three monthly installments of Rs. 40,000/- each in first two months and the rest amount of Rs. 35,000/- in the third month. Learned Senior Counsel appearing on behalf of the petitioners assures this Court that

the amount shall be paid to the informant in the months of May, June and July, 2015, respectively.

In view of the above, let the petitioners, namely, Ram Babu Chaudhary (Cr. Misc. No. 42409 of 2014) and Dinesh Chandra Chaudhary (Cr. Misc. No. 42486 of 2014), in the event of their surrender before the court below in the first week of August, 2015 be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Judicial Magistrate, Ist Class, Hajipur, Vaishali** in connection with **Town P.S. Case No. 420 of 2012** and **learned Chief Judicial Magistrate, Hazipur, Vaishali** in connection with **Town P.S. Case No. 421 of 2012**, respectively, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

In the meanwhile, no steps shall be taken to take the petitioners into custody

(Chakradhari Sharan Singh, J)

Praveen-II/-

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