

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51414 of 2014

Arising Out of PS.Case No. -843 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE District- MUZAFFARPUR

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Nag Narayan Pandit S/o Late Hari Shankar Pandit Resident of Fodder Cutting Shop in front of Arya Samaj Temple, Narkatiyaganj, P.S. Shikarpur, District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Devi, W/o Abhay Kumar Gupta, of village Brahampura, P.S. Brahampura, P.O. M.I.T., Dist. Muzaffarpur.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Surendra Kishore Thakur
For the Opposite Party/s : Mr. Shardanand Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 04-11-2015 Heard both sides.

The petitioner apprehends his arrest in a case under Section 406 of the Indian Penal Code and Section 138 of the N.I. Act.

The informant alleged that the petitioner took rupees six lakhs from her as a loan but he did not return the money. The petitioner issued a cheque and when the cheque was presented, the same was not encashed as the petitioner had already instructed the Bank to stop payment of the aforesaid cheque. Learned counsel for the petitioner submits that the petitioner is ready to return the entire amount in installments within four months from the date of this order.

In the view of the matter and considering the nature of allegation made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in Complaint Case No. 843/13, corresponding to Tr. No. 3733/14, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with a further condition that the petitioner shall return the entire amount within four months in three equal installments to the informant through bank draft. If the petitioner fails to return the amount within the aforesaid stipulated period, the learned court below shall cancel the bail bonds of the petitioner.

Dilip/-

(Prabhat Kumar Jha, J)

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