

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26567 of 2015

Arising out of PS.Case No. -862 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

Munna Ali, S/o Late Abdul Hasan Mian, resident of Village- Bharendua,
P.S.- Chenari, District- Rohtas.

.... Petitioner

Versus

1. The State of Bihar.
2. Ramanuj Tiwari, S/o Late Kesho Tiwari, resident of Village- Bharendua,
P.S.- Chenari, District- Rohtas.

.... Opposite Parties.

Appearance :

For the Petitioner : Mr. Krishna Pd. Singh, Sr. Advocate.
For the State : Mr. Yogendra Kr. Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-09-2015 Heard learned senior counsel for the petitioner and
learned counsel for the State

The petitioner is apprehending his arrest in connection
with Complaint Case No. 862/2014 for the offences instituted
under Sections 420 of the IPC and 138 of the N.I.Act.

The prosecution story, in brief, is that due to good
relationship, the complainant gave Rs. 4,22,000/- to the accused
and a deed was executed on its behalf. When he demanded that
money, the accused issued a Cheque for the aforesaid amount
which was bounced due to insufficient fund. The complainant sent
a pleader's notice but the accused threatened him.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is ready to deposit an amount of Rs. 4,22,000/- in the court below within a period of six months from the date of receipt/production of copy of the order which may be released in favour of the complainant.

On behalf of the learned counsels for the State and the complainant it has been submitted that the petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 4,22,000/- in the court below within a period of six months from the date of receipt/production of copy of the order which shall be released in favour of the complainant, let the petitioner above named, be released on provisional bail for six months in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Complaint Case No. 862/2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Rohtas at Sasaram, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The provisional bail of the petitioner shall be confirmed by the learned court below within a period of six months once the aforesaid amount of Rs. 4,22,000/- has been paid to the complainant.

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(Sudhir Singh, J)