

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45379 of 2014

Arising Out of PS.Case No. -185 Year- 2014 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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Rajendra Singh, Son of Sri Kashi Mandal, resident of village- Bandiha,
Police Station- Rosera, District- Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Choudhary Shyam Nandan, Advocate.

For the Opposite Party : Mr. Kalyan Shankar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 22-06-2015 Heard both sides.

The petitioner apprehends his arrest in C.R. No. 185 of 2014, corresponding to T.R. No. 614 of 2014, registered for the offences punishable under Sections 417, 406 of the Indian Penal Code and under Section 138 of the N.I. Act.

The gist of the allegation is that the petitioner borrowed Rs. 4,50,000/- from the complainant and on demand the complainant gave him two cheques out of which one cheque is of Rs. 2,50,000/- was encashed, but another was returned due to paucity of amount in the account of the petitioner.

It is submitted that the petitioner filed Rosera P.S. Case No. 11 of 2014 on 07.01.2014 alleging therein that the petitioner took his signature on plain papers and also stole his cheques at the

time of retirement on the pretext of preparing the documents of retiral benefits. When Rs. 2,50,000/- was withdrawn from his account the petitioner filed the case on 07.01.2014.

It appears that the complainant filed legal notice on 10.01.2014 and present complaint petition was filed only on 28.01.2014, the petitioner has denied the facts of borrowing money from the complainant.

Considering the facts aforesaid I find that the petitioner deserves anticipatory bail, accordingly, the petitioner above named, in the event of his arrest or surrender before the 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, Samastipur in C.R. No. 185 of 2014, corresponding to T.R. No. 614 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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