

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29587 of 2014

Arising Out of PS.Case No. -519 Year- 2009 Thana -MUZAFFARPUR CITY District-
MUZAFFARPUR

- =====
1. Binod Mishra, Son of Upendra Mishra
 2. Binit Kumar Mishra ,Son of Upendra Mishra
 3. Asha Mishra, Wife of Binod Mishra,
 4. Dipak Thakur alias Dipak Kumar Thakur, Son of Vishwanath Thakur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishor, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 12-01-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners, apprehending their arrest in connection with Town P.S. Case No. 519 of 2009 registered for the offences punishable under Sections 406 and 420/34 of the Indian Penal Code and 138 of Negotiable Instrument Act, seek the privilege of pre-arrest bail.

At the very outset, it is submitted on behalf of the petitioners that they are ready to give amount of Rs. 55,000/- to the informant. The petitioners were always ready to pay the amount but the informant is cunning and in spite of earlier assurance that cheque should be presented before the bank after

due date i.e. 20.10.2009 but the cheque was presented on 13.10.2009 itself and for that no legal notice has been given to the petitioner and as such, the petitioners deserve sympathetic consideration to which the learned A.P.P. fairly submits that if the petitioners deposit the amount of Rs. 55,000/- to the informant then in that case lenient view can be taken.

In the facts and circumstances stated above, if the petitioners deposit Rs. 55,000/- to the informant through bank draft and then the petitioners in case of their arrest or surrender within two months from the date of receipt/production of the copy of this order, they shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate., Muzaffarpur in connection with Town P.S. Case No. 519/2009, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

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