

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41166 of 2014

Arising Out of PS.Case No. -83 Year- 2012 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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Santosh Kumar Mishra Son of Late Mohan Mishra resident of village -
Bijdhari, P.S. Kesaria, Distt. - Motihari, East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Fani Bhushan Prasad son of Late Virat Prasad resident of village -
Bijdhari, P.S. Kesaria, Distt. - Motihari, East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey
For the State : Mr. Anita Kumari(App)
For the O.P. No. 2 : Mr. Gagandeo Yadav
Sanjay Kumar
Anita Kumari

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

06/ 03-08-2015

Heard learned counsels for the petitioner,

State and the informant.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 406,
420, 506, 504/34 of the Indian Penal Code and 138 N.I. Act.

The prosecution case is that the
complainant supplied one lakh bricks to the petitioner and was
given forty five thousand rupees cash as part consideration
amount and for the rest payment of Rs. 2,75,000/- two cheques
of Rs.1,50,000/- and Rs.1,25,000/- were issued which got
bounced.

It is submitted by learned counsel for the petitioner that the cheque leave of the petitioner were stolen from the school where the wife of the petitioner is a teacher for which a case was also lodged. It is further submitted that the petitioner is ready to deposit Rs.2,75,000/- before the learned court below which will be invested in some fixed deposit scheme in the account of the concerned Civil Court in connection with the present which will be subject to the result of the case.

On deposit of the aforesaid amount, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Keshariya P.S. Case No. 83 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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