

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45681 of 2015

Arising Out of PS.Case No. -260 Year- 2014 Thana -BIHTA District- PATNA

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1. Rajnarayan Giri @ Rajnarain Giri S/o Ram Babu Giri R/o Akhtiyarpur,
P.S. Bihta, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Jyoti

For the Opposite Party/s : Mr. Ashok Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 04-11-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 406 and 420/34 of the
Indian Penal Code.

The prosecution case is that the petitioner, his brother
and father took loan of rupees eight lacs from the informant with
assurance to repay within a period of three months but the
repayment was not made, thereafter cheques of Rs.5,80,000/- were
issued which got bounced.

It is submitted by the learned senior counsel for the
petitioner that the petitioner is ready to make payment of
Rs.5,80,000/- through bank draft within a period of three months
from today out of which draft of rupees two lacs will be deposited

before the learned court below at the time of execution of the bail bonds. Learned counsel for the informant is ready to accept the offer but submits that the father of the petitioner was also granted bail on similar undertaking but he failed to comply the same.

Considering the stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for four months in the event of arrest or surrender before the learned Court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Danapur in connection with Bihta P.S. Case No.260 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below if the petitioner deposits Rs.5,80,000/- through bank draft within three months. The said draft will be released in favour of the informant.

(Dinesh Kumar Singh, J)

Anil/-

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