

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6060 of 2016

Arising Out of PS.Case No. -27397 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Avinash Kumar Rai son of Arbind Rai, resident of Village- Salthua, P.S. Kudra, District- Kaimur at present C/O Sri Bharat Prasad, resident of Gosai Tola, P.S. Patliputra, District- Patna.

.... Petitioner/s

Versus

1. State of Bihar
2. Lal Deo Prasad son of Late Ram Sakal Rai, Village- Sahpur, P.S. Gopalpur District-Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. Shakir Ahmad (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 08-04-2016 Heard the learned counsel for the petitioner, the learned A.P.P for the State as also the learned counsel for the Complainant.

The petitioner seeks bail in a case for the offences punishable under sections 406, 420, 323, 341 and 504/34 of the I.P.C and section 138 of the N.I. Act.

Allegedly, for providing job the petitioner and other co-accused being in collusion and conspiracy cheated the complainant by taking amount of Rs. 12,50,000/- and the petitioner and co-accused Babita Bharti had given cheque to the complainant which was dishonored.

Submission is of false implication and that no offence as alleged is made out, the petitioner is a poor student and he has

been made victim of the circumstances, he is suffering in custody since 15.11.2015 and as such he deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the complainant opposes prayer for bail by submitting that the petitioner has given cheque which was dishonored and the petitioner and others had cheated several persons in that way.

In the facts and circumstances as stated above, considering detention of the petitioner, now he is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri R.N. Singh, J.M. 1st Class, Patna in Complaint Case No. 27397 © of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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