

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31034 of 2016

Arising Out of PS.Case No. -1724 Year- 2015 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Sudhir Kumar Jha, son of Kaladhar Jha
2. Kaladhar Jha, S/o Late Madhukant Jha, both are resident of Village-
Goraul, P.S Goraul, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Dinesh Prasad Singh, Son of Late Ramjee Singh, resident of Village-
Karnaul Chaturbhuj, P.S- Sahebganj, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 12-08-2016 Heard both sides.

The petitioner(s) herein seek anticipatory bail in
Complaint Case No. 1724 of 2015, registered under Sections 420
of the Indian Penal Code and 138 of the Negotiable Instrument
Act.

After making submissions at some length, the counsel
for the petitioners seek permission of the Court to withdraw the
application in so far as the petitioner no. 1 is concerned,
(Sudhir Kumar Jha). Prayer is allowed.

The allegation is that the complainant was
misrepresented by the accused(s) person and two cheques on two
dates were issued by the petitioner no. 1, which, however, on
presentation were dishonoured. This was for the purpose of the

obtaining land from the complainant for her sister. Such payment was made on the instruction of the petitioner no. 2

Contention of the petitioner is that it was a dispute in connection with sale/purchase of the land. There is no allegation that any cheque was issued or any misrepresentation was made by the petitioner no. 2.

Having heard the parties, I am persuaded to extend the privilege of anticipatory bail to the petitioner no. 2.

Let the petitioner no. 2 (Kaladhar Jha), in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Muzaffarpur in Complaint Case No. 1724 of 2015 subject to the condition as laid down under Section 438(2), the code of Criminal Procedure with further condition that one of the bailors shall be his own/close family member. The petitioner shall appear in person on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

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