

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26130 of 2016

Arising Out of PS.Case No. -190 Year- 2015 Thana -KARAHGAR District- SASARAM (ROHTAS)
=====

1. Dr. Permanand Singh @ Permanand son of Bhola Singh
2. Sandeep Kumar @ Sandeep Kumar Singh, son of Dr. Permanand Singh @ Permanand
Both are resident of North Patel Nagar Kochas, P.S- Kochas, Distt- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh

For the Opposite Party/s Mr. Parmeshwar Mehta
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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

05/ 24.11.2016 Heard learned counsel for the petitioners as well as
learned Addl. Public Prosecutor for the State assisted by
learned counsel for the informant.

Present case has been registered under section 406 of
the Indian Penal Code and section 138 of the N.I. Act.

The case of the informant is that the petitioners took
Rs 09/- lakhs as loan and so far as issuance of cheque is
concerned, same was issued by co- accused Pradeep Kumar but
admittedly, the aforesaid cheque was never presented before the
concerned bank.

Submission on behalf of the petitioners is that neither
section 406 of the Indian Penal Code nor section 138 of the N.I.
Act is made out against the petitioners.

On the other hand, learned counsel for the informant

submits that first information report goes to show that it were the petitioners who took Rs 09/- lakhs and moreover, some others had also filed similar type of cases against these petitioners.

Considering the aforesaid facts and circumstances as well as submissions of the parties, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate II, Sasaram, Rohtas in Karahagar(Barhari) P.S. Case no. 190/2015 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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