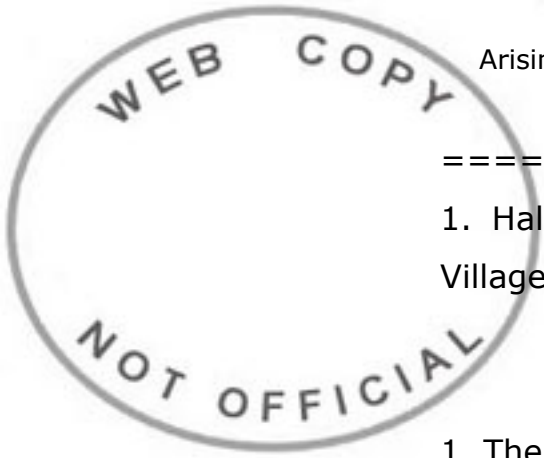




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41963 of 2016

Arising Out of PS.Case No. -229 Year- 2015 Thana -BANKA District-
BANKA

=====

1. Haldhar Singh, S/o Late Brahmdeo Singh, Resident of
Village- Baijnathpur, P.S.- Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar

For the Opposite Party/s : Mr. Ajit Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 29-09-2016 Heard the parties.

 This application, for grant of anticipatory bail,
arises out of Banka P.S. Case No. 229 of 2015, disclosing
offences under Sections 406 and 420 of the Indian Penal
Code.

 For an occurrence, which is alleged to have
taken place in 2005-06, the First Information Report has
been registered on the basis of complaint case.
Allegedly, the petitioner owned some money to the

complainant and for satisfaction of the same; he had issued certain cheques, which stood dishonoured in the year 2005 itself.

Learned counsel for the petitioner has submitted that nothing is due to the petitioner, which is payable to the complainant. He contends that no case under Section 138 of the Negotiable Instrument Act, was ever filed and this First Information Report, lodged on the basis of a complaint case, filed more than ten years after the alleged date of occurrence for ulterior reasons.

Considering the submission, as above, and the facts and circumstances of the case, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Banka**, in connection with **Banka P.S. Case No. 229 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the

event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-c

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