

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15313 of 2016

Arising Out of PS.Case No. -1699 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Rupesh Kumar Son of Vishwanath Singh Resident of Village - Singahi, P.S. Paroo District Muzaffarpur, at present Proprietor, M/S Gayatri Sanitary House, Mohalla Fardo Gola, Reba Road, P.S. Sadar, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Raju Prasad Yadav Son of Banshi Prasad Yadav Proprietor Mahamaya Sanitary, Resident of N.H. 28 Majhauria, P.S. Sadar District Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitu Kumari
For the Opposite Party/s : Mr. S.Ehteshamuddin(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-04-2016 Heard both sides.

The petitioner apprehends his arrest in a case under Sections 406/420 of the Indian Penal Code and Section 138 of the N.I.Act.

The petitioner is said to have issued a cheque of Rs. 1,37,565/-. When the cheque was presented to the Bank, the same was not honoured. It is submitted that the petitioner did not put his signature on the alleged cheque. The signature of the petitioner is forged. It does not appear from the proforma annexed with the main petition that the cheque was returned due to difference in the signature of the petitioner. It is further submitted that the petitioner is ready to return the entire amount in three installments within

three months from today.

Considering the facts aforesaid, if the petitioner returns one third of the aforesaid amount within four weeks from today, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in Complaint Case No. 1699/14, corresponding to Trial No. 1958/15, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The petitioner shall return the remaining amount in two equal installments in further two months failing which the learned court below shall cancel the bail bonds of the petitioner.

Dilip/-

(Prabhat Kumar Jha, J)

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