

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36987 of 2016

Arising Out of PS.Case No. -2388 Year- 2015 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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1. Muneshwar Rai, S/o Dhanikalal Rai, Resident of Village- Rahimpur Rudauli, P.S.- Samastipur (Mufassil), District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Shila Devi, W/o- Late Ram Sudharkar Pandey, Resident of Mohalla- Kashipur, Ward No. 12, P.W.D. Colony, P.S. Samastipur (Town), District- Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachin Kumar

For the Opposite Party/s : Mr. Sri Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 19-09-2016 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Complaint Case No. 2388 of 2015, for the offences punishable under Sections 406/420/354/427/448/504 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

The petitioner is father of co-accused Vikash Kumar Rai, who is said to have issued cheques, worth Rs. 4,33,0000/-, which stood dishonoured on being presented in the bank.

Learned Counsel for the petitioner has submitted that the petitioner's implication is only because

he is father of the main accused, Vikash Kumar Rai, who has been granted regular bail, subject to the condition that he pays to the informant total amount of Rs. 4,33,000/- within a period of 18 months.

Considering the above submission, this application is allowed.

Let the petitioner, Muneshwar Rai, 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Samastipur C. R. No. 2388 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.)

Prabhakar Anand/-

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