

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17184 of 2016

Arising Out of PS.Case No. -538 Year- 2015 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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Anil Kumar Singh, son of Late Nand Kumar Singh, resident of village-
Susnar, PS & District- Aurangabad and presently residing at Sarvoday
Nagar, Karma Road, Aurangabad, PS- Aurangabad (Town), District-
Aurangabad (Bihar)

.... Petitioner

Versus

1. State of Bihar
2. Rajendra Prasad Singh, son of late Nageshwar Singh, resident of
Shahpur, Thakurbari road, PS- Town, Dist- Aurangabad

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sushil Kumar Singh, Advocate

For the Opposite Parties : Mr. Ajay Kumar No.1(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-07-2016 Heard both sides.

The petitioner apprehends his arrest in Complaint
case no. 538/15/370/15 registered under Section 138 of Negotiable
Instruments Act and Sections 406, 409 and 420 of the Indian Penal
Code.

It is alleged that the petitioner took Rs. 6,11,000/-
from the complainant but he returned only rupees one lac through
cheque, and, thereafter, gave two cheques for the remaining
amount but both the cheques were dishonoured.

Learned counsel for the petitioner submits that
petitioner is ready to return the remaining amount of
Rs. 5,11,000/-. The petitioner again paid Rs. 2 lacs and now only

Rs. 3,11,000/- is lying with the petitioner. The petitioner is ready to pay the entire amount of Rs. 3,11,000/- within two months.

Learned counsel for the complainant did not object if the money is returned within two months.

Considering the facts aforesaid, 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 learned A.C.J.M.-III, Aurangabad (Bihar) in complaint case no. 538/15/370/15 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If the petitioner fails to return Rs. 3,11,000/- to the complainant either through bank draft or cash within two months from today, then the Court below shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Jha, J.)

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