

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34502 of 2016

Arising Out of PS.Case No. -291 Year- 2015 Thana -BRAHMPURA District- MUZAFFARPUR

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1. Jeetendra Kumar Managing Director S/o Ram Naresh Prasad Resident of Village- Raja Bazar Gopalpur, P.S- Town, Motihari Dist- East Champaran.
2. Varun Kumar, Marketing Agent S/o Shailendra Mishra, Resident of Village- Chararahiya, P.S.- Harsidhi, Dist- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Mani Srivastava, w/o- Vijay Kumar Srivastava, Mohalla- Mithanura Lala P & D Colony, South Gosala Road, P.S.- Mithanpura, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey
For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 10-11-2016 Heard the Counsel for the petitioners and the informant.

Petitioners, being employees of Green City Real Estate Pvt. Ltd, have prayed for grant of anticipatory bail in Brahampura P.S. Case No. 291 of 2015 registered under Sections 406, 420, 432, 504 and 506 of the Indian Penal Code and Section 138 of the N.I. Act.

Even according to the F.I.R., the cheque was signed by the Director of the Company namely Santosh Kumar which stood dishonoured. Petitioners are not the signatories of the cheque.

In my view, the petitioners are entitled to grant of privilege of anticipatory bail.

In the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in Brahmpura P.S. Case No. 291 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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