

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10854 of 2017

Arising Out of PS.Case No. -167 Year- 2016 Thana -COMPLAINT CASE District- LAKHISARAI
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Subba Singh @ Suba Singh S/o Sri Sravan Ram Resident of Village-
Saunita, P.S.- Nagal, District- Ambala.

.... Petitioner

Versus

1. The State of Bihar.
2. M/s Vikash Trading Company, Proprietor of Manoj Kumar S/o Sri Daleshwar Sao Resident of Mohalla- Vidya Path Chowk, Near Basant Complex, P.S. +District- Lakhisarai.

.... Opposite Parties
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with

Criminal Miscellaneous No.10904 of 2017

Arising Out of PS.Case No. -167 Year- 2016 Thana -COMPLAINT CASE District- LAKHISARAI
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1. Jai Dev Bhardwaj @ Jai Dev, S/o Prem Nand, Resident of Mohalla-
House No. 589/13 N.P.S.- U.E. Kurukshtra, District- Kurukshtra.
2. Mukesh Kumar, S/o Shyam Lal, Resident of Mohalla- Islamabad, P.S.-
Ishmalabad, District- Kurukshtra.
3. Nefi Singh @ Nafe Singh, S/o Nara Singh, Resident of Village- Tabar,
P.S.- Ismailabad, District- Kurukshtra.

.... Petitioners

Versus

1. The State of Bihar.
2. M/s Vikash Trading Company, Proprietor Manoj Kumar, S/o Sri Baleshwar SAo, Resident of Village- Vidya Path Chowk, Near- Basant Complex, P.S.+District- Lakhisarai.

.... Opposite Parties
=====

Appearance :

(In Cr.Misc. No.10854 of 2017)

For the Petitioner : Mr. Binod Kumar, Advocate.

For the Opposite Parties : Mr. Ahmad Ali, APP.

(In Cr.Misc. No.10904 of 2017)

For the Petitioners : Mr. Binod Kumar, Advocate.

For the Opposite Partiess : Mr. Ahmad Ali, APP.
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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

5 22-06-2017

Heard both sides.



The petitioners apprehend their arrest in Complaint Case No. 167(C) of 2016 registered for the offences punishable under Sections 420, 406, 120(B) of the Indian Penal Code and under Section 138 of the N.I. Act.

The gist of the allegation is that the petitioner purchased rice from the complainant and issued cheque of Rs. 31 lakhs but the same was returned on account of paucity of funds.

Learned counsel for the petitioners submits that the petitioners are ready to make payment to the complainant within three months from the date of this order. On such, learned counsel for the complainant did not raise any objection and very fairly submitted that the complainant is concerned only with non-payment of the price of the rice.

Considering the facts aforesaid and the facts that the petitioners are ready to make payment of Rs. 31 lakhs within three months from today, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in Complaint Case No. 167(C) of 2016,



Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure. If the petitioners fail to pay the entire amount through draft within three months from the date of this order, the court below shall cancel the bail bond of the petitioners forthwith.

(Prabhat Kumar Jha, J)

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