

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43032 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -DIGHWARA District- SARAN

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Ashutosh Kumar Bharti, Son of Sri Bharat Chaudhary,
Resident of village – Narhan, Post Narhan, P.S. Bibhutipur,
Distt. – Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Vikash Kumar Singh, Son of Brij Kishor Singh, R/o Vill.
Aami, P.S.-Dighwara, Distt.-Saran at Chhapra.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindhyachal Rai

For the Opposite Party/s : Mr. Madhuranand Jha

Mr. Purushotam Sharma

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

5 18-01-2017 Heard the parties.

This application, for grant of anticipatory bail,
arises out of Dighwara P.S. Case No. 65 of 2016, disclosing
offences under Sections 406, 420, 467 and 468 of the
Indian Penal Code and Section 138 of the Negotiable
Instrument Act.

Learned counsel for the petitioner has submitted



that this is an admitted fact that the petitioner has paid to the opposite party No. 2 a sum of Rs. 98,000/- and even if the allegation, as contained in the First Information Report, is taken to be true, total liability on the petitioner will now come to a sum of Rs. 72,000/-. He has submitted that he will pay the said amount to the opposite party No. 2 by 10th February, 2017. A post-dated cheque, bearing No. 581075, dated 10.02.2017, in favour of the opposite party No. 2, issued under the signature of the petitioner, is being handed over to learned counsel, appearing on behalf of the opposite party No. 2, in course of the day.

Considering the nature of the dispute, in the facts and circumstances of the case this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within eight weeks after 10.02.2017 be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Saran at Chapra**, in connection with **Dighwara P.S. Case No. 65 of 2016**, 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)

Praveen-II/-

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