

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37402 of 2016

Arising Out of PS.Case No. -2761 Year- 2012 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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Ram Naresh Singh son of Late Hardev Singh R/o Village- Lakho (Nipaniya Tola), P.S.- Muffasil, Ward No.4, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nawal Kishore Singh Son of Late Vidhyadhar Singh R/o Village- Lakho, P.S.- Muffasil, Ward No.9, District- Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

7 16-03-2017 Heard the learned counsel for the petitioner, the learned A.P.P. for the State as also the learned counsel for the Informant.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Complaint Case No. 2761 C of 2012 for the offences punishable under sections 406 and 420/34 of the I.P.C.

Allegedly, as per request of the petitioner the complainant gave Rs. 30,000/- to Dilip Kumar, the brother of the petitioner, to do the business and further gave Rs. 95,000/- to him as per the advice of the petitioner and when the money was demanded Dilip Kumar gave a cheque of Rs. 31,000/- which was dishonoured. Again Vakaltan notice was sent but they did not



return the amount.

Submission is of false implication and that the petitioner has not taken amount from the complainant rather Dilip Kumar, the brother of the petitioner, has taken the amount, the petitioner has got no concern and as such he deserves sympathetic consideration, he is separate from his brother.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner and his brother both have cheated the complainant and as such the petitioner also does not deserve pre-arrest bail.

In the facts and circumstances as stated above, considering that Dilip Kumar has taken the amount and has given the cheque which has been bounced and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. Sri Amit Anand, J.M. 1st Class, Begusarai in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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