

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52358 of 2016

Arising Out of PS.Case No. -315 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Dhuruv Narayan Singh, S/o Late Ashrafi Singh,
2. Narendra Kumar, S/o Dhuruv Narayan Singh,
3. Amit Kumar, S/o Dhuruv Narayan Singh, All resident of Village-
Khirpura, P.S.- Kesariya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Lalita Verma, Wife of Late Madhukar Lal.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bal Govind Sharma, Advocate.
For the Complainant : Mr. Abhishek Kumar, Advocate.
For the Opposite Party/s : Mr. Sri Ataur Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 22-02-2017 Heard learned counsel for the petitioners, learned
counsel for the informant and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Nagar (Town) P.S. Case No. 315 of 2016, registered under
Sections 420, 406 and 120 (B) of the Indian Penal Code and
Section 138 of the N.I. Act.

The accusation is that Raj Kumar Singh, son of
petitioner no.1 and brother of petitioner nos. 2 and 3, approached
the complainant, Lalita Verma and her son, Kunal Raj and took
the loan Rs. 50,000/-, 1,60,000 5,90,000/-, on 26.03.2014,
27.02.2015 and 17.03.2015, which was to be returned till
November, 2015 but he did not return the loan amount. On



request, Raj Kumar Singh, handed over cheque to the complainant, on assurance to present the same in the First Week of January, 2016. The complainant presented the cheque in the Head Post Office, Motihari for encashment but the cheque could not be encashed due to insufficient money in the account of Raj Kumar Singh.

Learned counsel for the petitioners submits that, it would appear from the complaint petition that the allegation of taking the money and handed over the cheque to return the money is against Raj Kumar Singh. The petitioners being the father and brothers of Raj Kumar Singh have falsely been implicated in this case.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, in connection with Nagar (Town) P.S. Case No. 315 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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