

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58368 of 2017

Arising Out of PS.Case No. -193 Year- 2017 Thana -DESARI District- VAISHALI(HAJIPUR)

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Raushan Kumar Rai S/o Sri Akalu Rai resident of village - Nayagaon East,
P.S. - Desari, Dist - Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned counsel

for the informant.

The petitioner seeks pre-arrest bail in connection with

Desari P. S. Case No. 193 of 2017 registered under Sections

341, 504, 506, 420, 406 and 409 of the Indian Penal Code.

It is submitted by the learned counsel for the

petitioner that even if the entire allegations made in the FIR are

taken to be true, no case under Sections 406, 420 and 409 of the

Indian Penal Code would be made out. He submitted that the

ingredients of Section 138 of the Negotiable Instruments Act

are also not attracted in the present case.



On the other hand, learned counsel for the informant submitted that the petitioner took Rs.4,50,000/- from the informant and did not return the same. The cheque issued by him has got bounced.

Regard being had to the facts and circumstances of the case, the petitioner named above is directed to 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 Sub-Judge-III-cum-ACJM-II, Vaishali at Hajipur in Desari P. S. Case No. 193 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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