

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45253 of 2016

Arising Out of PS.Case No. -145 Year- 2015 Thana -TARIYANI CHOWK District- SHEOHAR

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1. Umesh Kumar, son of Bir Bahadur Rai, Resident of Village- Kushhar,
P.S. Tariyani, District- Sheohar Petitioner

Versus

1. The State of Bihar
2. Jay Prakash Kumar, son of Sri Shailendra Rai, r/v Nimahi, P.S.
Tariyani, district Sheohar Opposite Parties

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Appearance :

For the Petitioner : Mr. Pushpendra Kumar Singh, Adv.
For the Opposite Party : Mr. Ram Naresh Ray, APP 212

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 06-04-2017 Heard the learned counsel for the petitioner,
the informant and the State.

This is a petition for grant of anticipatory bail for
offence under Sections 406 and 420 of the Indian Penal
Code.

The informant had advanced Rs.11/- lakh to the
petitioner and the petitioner issued refund cheque, which
bounced. Offence under Section 138 of the Negotiable
Instrument Act is bailable one and there is no proof of the
payment of Rs.11/- lakh to the petitioner. Hence, other
offences prima facie are not attracted.

The learned counsel for the informant opposed
the prayer for bail on the ground of criminal antecedent of
the petitioner.

Considering the aforesaid fact, the petitioner,
above named, in the event of his arrest or surrender,
within four weeks from the date of receipt of this order, be



released on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Tariyani P.S. Case No. 145 of 2015** to the satisfaction of the **Additional Chief Judicial Magistrate, Sheohar**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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