

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.74630 of 2018**

Arising Out of PS. Case No.-1852 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE  
District- Samastipur

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Nitesh Kumar Singh, S/o Baidya Nath Singh @ Vajjnath Singh, R/o Village  
Sari Tola, P.O. Shanichara Asthan, P.S. waris Nagar, Distt.-Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satish Kumar Pandey S/o Sri Kameshwar Pandey, R/o Village Hajpurba,  
Gram Panchayat Raj, Mohiuddin Nagar, P.S. Waris Nagar, Distt.-Samastipur,  
presently M/s Tara Auto Mobiles, Mohanpur Road, Samastipur, P.S.  
Samastipur(Muffassil), Distt.-Samastipur

... .. Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav  
For the Opposite Party/s : Mr.Satya Nand Shukla

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      20-12-2018                      Heard both sides.

Petitioner apprehends his arrest in C.R. No.1852 of  
2016, registered under Section 406 of the Indian Penal Code and  
138 of the N.I. Act.

The gist of the allegation is that the petitioner  
purchased a tractor worth Rs.4,90,000/-. Rs.3,10,000/- was  
financed by the HDFC Bank and petitioner paid Rs.90,000/- in  
cash on assurance to pay remaining Rs.90,000/- very soon but  
petitioner issued a cheque of Rs.90,000/- of HDFC Bank and the  
same was dishonoured on account of insufficiency of fund.

Learned counsel for the petitioner submits that the  
petitioner is ready to repay the entire amount of Rs.90,000/-



within two months.

Considering the fact that petitioner is ready to pay the entire amount of Rs.90,000/- within two months, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Samastipur in connection with C.R. No.1852 of 2016, subject to the conditions laid down under Section 438(2) Cr. P.C.

If the petitioner fails to return Rs.90,000/- through draft to the complainant within two months from the date of this order, the learned court below shall cancel the bail bond of the petitioner.

**(Prabhat Kumar Jha, J)**

S.KUMAR/-

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