

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14735 of 2018

Arising Out of PS.Case No. -1809 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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Abdul Majid @ Abdul Maajid S/o Kari Abdul Kalam @ Abdul Kalam, R/o
Village- Nakchhed Tola Ward No.4, P.S.- Motihari Town , Distt.- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sanjit Kumar S/o Prusottam Prasad, R/v Mathiya Zirat, P.S.- Chhatauni,
Distt.- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 05-04-2018

Heard.

The petitioner apprehends arrest in connection with
Complaint Case No.1809C of 2016 (Trial No.317 of 2017)
pending in the Court of CJM, Motihari, East Champaran registered
for an offence under Sections 420 and other section of the IPC and
Section 138 of NIA Act.

The allegation as per complaint petition is that in
course of business transaction, the petitioner took an amount of
Rs.2,50,000/- from the complainant. As agreed, the petitioner
returned the said amount as per cheque but on presentation of
cheque in bank, it bounced. The petitioner has thus cheated and



committed breach of trust.

Learned counsel for the petitioner submits that the petitioner is ready to return the said amount in six instalments within six months in order to avoid litigation.

Considering the facts and circumstances of the case, prayer for anticipatory bail is provisionally allowed. The petitioner on depositing/paying first instalment amount of Rs.50,000/- to the complainant within six weeks and on his surrender within the said period he shall be provisionally enlarged on bail on furnishing bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of CJM, Motihari at Motihari East Champaran in connection with Trial No.317 of 2017 and Complaint Case No.1809C of 2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C. The court below is at liberty to cancel the bail of the petitioner in the event of non-compliance of his undertaking to return the money within six months.

(Sanjay Kumar, J)

B.Kr./-

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