

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12239 of 2018

Arising Out of PS. Case No.-194 Year-2017 Thana- CIVIL LINE District- Gaya

Sandip Kumar Vaidya, S/o Girijanandan Vaidya, R/o Mohalla- Shivshkti Colony, Chandchoura, P.S.- Vishnupad, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak, Adv.

For the Opposite Party/s : Mr. J. N. Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-02-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 420, 406 of the Indian Penal Code and Section 138 of the N.I. Act.

The prosecution case is that the informant gave Rs. 1,90,000/- in cash to the petitioner as a loan. On demand, the petitioner handed over three cheques of Rs.50,000/- each and one cheque of Rs.40,000/-, but the same got dishonoured.

It is submitted by learned counsel for the petitioner that there is no proof with regard to the payment made to the petitioner. The petitioner simply issued a cheque for encashment to the informant. A statement has been made in paragraph no.3 of the petition that apart from the present case, the petitioner is



accused in one other case, wherein, he is on bail.

It is submitted by Mr. J. N. Thakur learned APP for the State that petitioner the accusation against the petitioner is specific.

Considering the nature of accusation and in absence of any proof with regard to payment made to the petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Gaya in connection with Civil Lines P.S. Case No.194 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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