

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42729 of 2018

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1. VISHNU DAYAL CHAUDHARY @ VISHNU DAYAL
CHAUDHARY KUMAR S/o Gannu Chaudhary, R/o Vill.- Dhibra , P.O.-
Shikarpur, P.S.- Shahpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Umesh Thakur S/o Late Shiv Narayan Thakur, R/o Vill.- Raghurampur,
P.o.- Chandmari, P.S.- Sahpur, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-09-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Complaint Case No.204(C) of 2015 , registered for offences
punishable under Sections 420 and 120(B) of the Indian Penal
Code with 138 of the NI Act.

Allegation against the petitioner is that he was agent in
Weird Industries Limited and he persuaded the complainant to
deposit Rs.05 lac and he deposited but the company closed and not
returned the amount.

Submission of the learned counsel for the petitioner is that
there is no allegation that he has received money or he has issued
any cheque and on similar allegation another accused persons has



been granted bail by a Co-ordinate Bench of this Court, vide order dated 20.7.2017 passed in Cr.Misc. No.23524 of 2017.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sri Praveen Kumar Malviyan, J.M. 1st Class, Danapur, Patna in connection with Complainant Case No.204 (C) of 2015 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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