

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41527 of 2018

Arising Out of PS.Case No. -834 Year- 2015 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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1. Subash Bind @ Subhash Bind son of Late Baldeo Bind resident of village
+ P.O. Eawati, Police Station - Nuaon (Ramgarh), District - Kaimur at
Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manoj Kumar Singh son of Baleshwar Singh Resident of Village -
Sahuka, Police Station - Ramgarh, District - Kaimur at Bhabua.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh
For the Opposite Party/s : Mr. Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 29-10-2018 The petitioner is in custody since 04.05.2018 in
connection with Complaint Case No. 834 of 2015 (Regd. No.
909/2015), registered for offences punishable under Sections 420,
406 of the Indian Penal Code and Section 138 of the Negotiable
Instruments Act.

Allegation against the petitioner is that he purchased
paddy from the informant and did not make the payment and later
on he had issued a cheque of Rs. 14,99,996/- in favour of the
informant that has been bounced due to non-sufficient balance in
the account.

Submission of learned counsel for the petitioner is that



no rice has been delivered to the petitioner, rather it was given to the rice miller and further allegation of bouncing of cheque is false and concocted and he is in custody for about six months and he is ready to abide by any condition imposed upon him.

Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer for bail of the petitioner stating that the petitioner is also accused in other cases.

Having heard both sides and considering the aforementioned facts and circumstances and the petitioner is in custody for about six months, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Complaint Case No. 834 of 2015 (Regd. No. 909/2015), 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 cooperate in the



disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

sunil/Amjad/-

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