

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72727 of 2018

Arising Out of PS. Case No.-100 Year-2017 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Motilal Singh, Son of Late Ramjeet Singh, R/o Vill.- Gajadhar Ganj, Near
Ambedkar Chok Buxar, P.S.- Buxar (T), Distt.- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ram Sevak Rai, S/o Late Vrij Lal Rai, R/o Bazar Samiti Road, Buxar,
Mahatma Gandhi Nagar, P.S.- Buxar (Town), Dist.- Buxar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tushar Vaibhav
For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Complaint Case No. 100 (C) of 2017
registered for the offences punishable under Sections 406 of the
Indian Penal Code and Section 138 of N.I. Act.

Informant has filed a complaint case against
petitioner for non-payment of Rs. 04 lacs for which a cheque
was issued by the petitioner but same was dishonored as
amount to be insufficient in his bank account. Cognizance has
been taken under Section 406 of I.P.C. and Section 138 of N.I.
Act. Petitioner was granted opportunity to pay Rs. 01 lac during
his pendency of anticipatory bail but the same being not paid by
the petitioner, he was taken into custody and is in judicial
custody since 24.09.2018. However, subsequently Rs. 01 lac



was paid to informant.

Learned counsel for the informant has appeared and opposes the bail petition of petitioner.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar, in connection with Complaint Case No. 100 (C) of 2017, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/Manoj

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