

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1839 of 2018

Arising Out of PS. Case No.-808 Year-2017 Thana- NAWADA District- Nawada

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Sandeep Raj, Son of Bimlesh Ram, Resident of Stadium Road, behind
Gobardhan Temple, Police Station - Town in the district of Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushant Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-01-2018 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 Negotiable Instrument
Act.

The prosecution case is that the informant, Ajit Kumar
gave Rupees Three Lacs to the petitioner, who is friend of the
informant, on 14.11.2016, on the petitioner's assurance to return
the said amount within six months. But when the said amount
was not returned, then on demand being made, a cheque of



Rupees Two Lacs was handed over to the informant. But when the cheque was produced before the bank for encashment, it got dishonored due to insufficient funds in the account of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is ready to return the cheque amount within a period of five months by submitting a bank draft in favour of the informant before the learned Court below.

In view of the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months, 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, Nawada, in connection with Nawada Town P.S. Case No.808 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned Court below on submission of bank draft of Rupees Two Lacs within a period of five months. The learned Court below will release the said amount in favour of the informant when the informant gets ready to reconcile the issue and files a



petition to that effect before the learned Court below, otherwise,
the said amount will be subject to result of the case.

(Dinesh Kumar Singh, J)

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