

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31969 of 2018

Arising Out of PS. Case No.-647 Year-2017 Thana- BIHTA District- Patna

Shiv Kumar Pandey, Son of Raghwanand Pandey, Resident of village- Bilap,
P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shambhu Prasad, Son of Late Girja Prasad, Resident of village- Rustamganj,
P.O.+ P.S.- Naubatpur, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Sinha
For the Opposite Party/s	:	Mr. Amit Kumar Rakesh
For the Informant	:	Mr. Gopal Govind Mishra

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406, 420, 504, 506 of the Indian Penal Code and Section 138 of the Negotiable Instrument Act.

The F.I.R. would reveal that informant had advanced loan to the petitioner and the refund cheque issued by the petitioner bounced.

Learned counsel for the informant opposed the prayer for anticipatory bail.

There is no material to substantiate dishonest



intention of the petitioner at the time of the agreement. Moreover, civil remedy is available to the complainant. Hence, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Bihta Police Station Case No.647 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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