

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12196 of 2018

Arising Out of PS.Case No. -2025 Year- 2016 Thana -PATNA COMPLAINT CASE District- PATNA
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Dilip Kumar Singh, S/o Late Ramwali Rai, R/o House No. 31, North of
Rajapur Madhya Vidyalay, Rajapur Pul, P.S.- Patliputra, District- Patna.
.... Petitioner

Versus

1. The State of Bihar.
2. Sri Rajendra Rajak S/o Late Budhan Rajak, R/o Mohalla - Indira
Nagar, Bank Colony, Postal Park, P.S.- Kankar Bagh, District- Patna.
.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Uday Shankar Choudhary, Advocate
For the State : Mr. J.K. Singh, APP
For Opp. Party No. 2 : Mrs. Shama Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 22-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 13.01.2018 in connection with Complaint Case No. 2025(C) of 2016 for the offences alleged under Section 406 of the Indian Penal Code and Section 138 of the Negotiable Instrument Act.

3. It is submitted that the petitioner has been falsely implicated and in any event the nature of transaction itself is no more than a civil dispute between the parties. It is further submitted that the opposite party no. 2 along with one Vidyanand Kumar Verma who are friends have acted in connivance with each other to extort money from the petitioner and for which a legal notice has also been sent to the said Vidyanand Kumar Verma. The petitioner claims clean antecedents except in Complaint Case No. 1871(C) of 2016 filed by the said Vidyanand Kumar Verma.

4. Learned APP for the State assisted by learned counsel for the complainant appearing suo motu opposes the bail petition.



5. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Smt. Sakshi Mishra, learned Sub-Judge-XI, Patna in connection with Complaint Case No. 2025(C) of 2016, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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