

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50907 of 2018

Arising Out of PS. Case No.-258 Year-2018 Thana- BAGHA District- West Champaran

NARAYAN TIWARI @ NARAYAN DATT TIWARI Son of Late Nagina Tiwari, resident of Village- Malkauli, P.S. Pahakhauli (Bagaha), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary

For the Opposite Party/s : Mr. Smt. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-09-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks Anticipatory bail in connection with Bagha/Pathakhauli P.S. Case No. 258 registered under Sections 420, 406 of the Indian Penal Code and Section 138 of N.I. Act.

Allegation against the petitioner is that petitioner had demanded loan Rs. 52,000/- for urgent work from the informant but the same was not returned when the demand was made. Ultimately petitioner had handed over the cheque of Rs. 52,000/- to the informant and when the informant presented the said cheque to the bank, the same was dishonoured on the ground of insufficiency of fund in his account.



It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. Petitioner had not taken any loan from the petitioner. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Bagaha, West Champaran, in connection with Bagha/Pathakhauri P.S. Case No. 258, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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