

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44334 of 2018

Arising Out of PS.Case No. -664 Year- 2017 Thana -KOTWALI District- PATNA

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Nirbhay Singh S/o Yogendra Singh @ Jogendra Singh, R/o House No. - 463, Sector -39, Near Medanta Hospital Gurugram (Gurgaon), P.S.- Sadar, District- Gurugram, Haryana.

.... Petitioner

Versus

1. The State of Bihar
2. Nirbhay Sinha, son of Narendra Sinha, resident of Abhay Bhawan, Fourth Floor, Frazer Road, Patna

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 10-09-2018 Heard learned counsel for the petitioner.

Petitioner prays for bail in connection with Kotwali P.S.Case No. 664 of 2017 registered for the offences punishable under Sections 417, 418, 419, 420, 409, 467, 468, 120B of the Indian Penal Code and Section 138 of N.I. Act.

Allegation against the petitioner is that he has taken Rs.32,50,000/- and Rs.10,50,000/- from the informant with respect to business transaction for supply of furniture and it is said that he has not supplied the same and when he demanded money the petitioner has given a cheque of Axis Bank which was produced in Bank on 21.10.2017 and that cheque was found forged.

Submission of learned counsel for the petitioner is that



according to FIR the cheque was presented in Bank on 21.10.2017. However, photo copy of the cheque, which is part of FIR, shows that the cheque was dated 12.10.2017 and the same was presented in Bank on 13.10.2017 and that falsifies the allegation made in the FIR.

Nobody appears on behalf of opposite party No.2 though Vakalatnama has been filed on behalf of informant.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, as stated above, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna, in connection with Kotwali P.S.Case No. 664 of 2017, G.R.No. 7784 of 2017, subject to the condition that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned.

(Vinod Kumar Sinha, J)

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