

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35704 of 2018

Arising Out of PS.Case No. -90 Year- 2018 Thana -AURANGABAD COMPLAINT CASE District-
AURANGABAD

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1. Devendra Prasad S/o Kamal Prasad Cum Proprietor of Magoh Inter Prises, Ander Bazar resident of Mohalla Andar Bazar, Aurangabad, P.S. Town Aurangabad, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Binod Kumar S/o Sri Dasu Saw resident of Mohalla - Shahganj, P.S. Aurangabad Nagar, District Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Mr. Binod Kumar Singh,

Ms. Vagisha Pragya V.

Mr. Manu Tripurari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Aurangabad Complaint Case no.90 of 2018 registered for offences punishable under Sections 406, 420, 323, 341, 504, 506 of the Indian Penal Code and Section 138 of N.I. Act..

Allegation against the petitioner is that he has taken friendly loan of Rs.10 lac for the purpose of business and he has not retuned the same.

Submission of the learned counsel for the petitioner is that he had given a cheque as security and that cheque has been produced before the Bench, which has bounced. It is further



submitted that he is still ready to pay the amount.

Heard learned A.P.P. and the learned counsel for the complainant. They have opposed the prayer for bail stating that in the reply to the legal notice given to the petitioner, the petitioner has not denied about taking of money. .

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of the anticipatory bail to the petitioner, however, if the petitioner surrenders before the learned court below within a period of six weeks from the date of order and make prayer for regular bail as well as he is ready to pay the amount, even in some installments, the learned court below shall consider the aforesaid aspect of the matter, and will appropriate order is possible on the same day.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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