

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.304 of 2019

Arising Out of PS. Case No.-1587 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

-
1. Anita Sharma, W/o Vinay Kumar Sharma @ Binary Sharma.
 2. Vinay Kumar Sharma @ Binary Sharma, s/o Lakhan Sharma. Both residents of Mohalla Noth Lakhibagh, P.s. - Moffasil, Distt.- Gaya.

... .. Petitioners

Versus

1. State Of Bihar
2. Ajay Mistri, S/o Naricharan Mistriresident, resident of Mohalla - Head Manpur Near Jora Maszid, P.s. Buniyadganj, Distt.- Gaya.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-03-2019 Petitioners seek bail in anticipation of their arrest in connection with Gaya Complaint Case No. 1587 of 2017, instituted for the offences punishable under Sections 406, 420 of the Indian Penal Code and Section 138 of N.I. Act.

Allegation is of taking Rs.90,000/- as loan from the complainant and further allegation is that in respect of the said loan a cheque for Rs.25,000/- was issued which bounced.

Submission of learned counsel for the petitioners is that they have not taken any amount from the complainant and they have falsely been implicated.

In this case notice was issued to opposite party No.2



but in spite of service of notice none appears on behalf of opposite party No.2.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, this application is disposed of with a direction to the petitioners to surrender within a period of six weeks from the receipt of this order and pray for bail and if petitioners are ready to pay back Rs.90,000/- to the complainant in reasonable instalment, the court below shall consider this aspect of the matter.

(Vinod Kumar Sinha, J)

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