

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3560 of 2019

Arising Out of PS. Case No.-2537 Year-2006 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Ashraf Khalil @ Ashraf Ali Late Mohammad Ali @ Ali Imam R/O Village-
Bakhri Barai, P.S.-Rajapakar, District- Vaishali.

... .. Petitioner/s

Versus

1. The state Of Bihar
2. Dukhharan Singh Late Sukhdeo Singh R/O Village- Faridpur, P.S.-
Rajapakar, District- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rina Sinha
For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-04-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.2537 of 2006 registered for offences punishable under Sections 323, 341, 504, 379 and 420 of the Indian Penal Code.

Allegation as per the complaint petition against the petitioner and other accused persons is that they have taken Rs.30,000/- and a cheque was given by the petitioner, which bounced and thereafter, further a cheque was given by the accused no.1, who is mother of the petitioner but that has also bounced.

Submission of the learned counsel for the petitioner is



that the allegation is against the mother of the petitioner and she has been granted bail.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that the petitioner is named in the FIR and the case is of the year, 2001 and even the mother of the petitioner has already been granted bail and the petitioner has not chosen to appear up till now.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on the basis of the materials including the fact that the mother of the petitioner has already been granted bail by a Co-ordinate Bench of this Court and considering the above facts and circumstances, the learned court below shall dispose of the prayer for bail of the petitioner, if possible on the same day.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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