

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8286 of 2019

Arising Out of PS. Case No.-30152 Year-2014 Thana- PATNA COMPLAINT CASE District-
Patna

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CHANDRA BHUSHAN TIWARY S/o Late Chumman Tiwary Resident of
M/S Mahavir Steel, Lohiya Nagar, Ashok Nagar Bypass, PS-Kankarbagh
District-Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. M/S Mahindra and Mahindra Financial Service Ltd. Through Vivek Kumar,
S/o Ajeet Kumar Sinha, Territory Legal Manager, having office at Plot no.-6
Beside CIMAGE Boring Road, P.S- Sri Krishna Puri, District-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Samrendra Kumar Jha
For the Opposite Party/s : Mr.Bharat Bhushan(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 13-02-2019 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory

bail in connection with Complaint Case No. 30152(C)/2014

registered for offence punishable under section 420 of the

Indian Penal Code and 138 of the N.I. Act.

The petitioner had taken loan of Rs.3,50,000/- and

two cheques comes to Rs.42,000/- which were put to the Bank

for transaction, have bounced.

The learned counsel for the petitioner submits that

the petitioner is ready to return the aforesaid amount within six

months.



In such view of the matter, the petitioner, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on **provisional** bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Sub-Judge-IX, Patna in connection with Complaint Case No. 30152(C)/2014, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. Further condition is that the petitioner must clear the dues of Rs. 42,000/- within the aforesaid period in equal instalment and first payment would be made by one and half month for Rs.10,000/- and thereafter, in four equal instalments he will pay the money. If the petitioner would fail to deposit the money on any instalment, the interim relief granted to him will be treated to have been withdrawn. On deposit of entire amount of Rs.42,000/-, the bail of the petitioner will be confirmed. This Court directs that the financier will take the money but without



prejudiced to his right. If he refuses to take the money, the
petitioner will deposit the same in the court below.

(Shivaji Pandey, J)

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