

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8910 of 2019

Arising Out of PS. Case No.-192 Year-2018 Thana- TURKAULIYA District- East
Champaran

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Upendra Kumar Nishad, Son of Late Sheo Nandan Chaudhary, Resident of
Mohalla - Belbanwa, Machhua Toli, P.S. - Town Motihari, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 14-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 420 of the
Indian Penal Code and Section 138 of the Negotiable Instrument
Act.

Petitioner had taken loan from the informant for
business purpose. However, the petitioner did not refund the
same and the refund cheque of Rs.1,00,000/- (Rupees One Lac)
issued by the petitioner allegedly bounced.

Submission is that from the allegation, dishonest
intention cannot be gathered. In fact the petitioner had taken
loan for treatment of his wife and had returned Rs.58,000/-



(Rupees Fifty Eight Thousand) in cash. Petitioner has got no criminal antecedent.

Considering the entire facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Turkaulia (Banjaria) Police Station Case No.192 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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