

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38009 of 2019

Arising Out of PS. Case No.-336 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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MOHAN SINGH S/o Sri Ram Naresh Singh R/o village- Sohathi, P.S.-
Jandaha, Distt.- Vaishali

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Sanghila Tiwari D/o Sri Jai Kumar Tiwari R/o village- Mahaiya Malpur,
P.S.- Patepur, Distt.- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 07-11-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.336 of 2018, Tr. No.2107 of 2018 registered for offences punishable under Section 420 and 138 of the NI Act.

In this case there is allegation that the petitioner has taken Rs.17 lac from the complainant and he has issued cheques of Rs.17 lac but on production it was dishonored.

Submission of the learned counsel for the petitioner is that in this case a compromise has been filed between the parties.

In this case notice was issued to the O.P.no.2 but it appears that the service could not be effected due to improper address.

Heard learned A.P.P. also.



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 three weeks from the date of receipt of the order and on surrender he will be released on provisional bail in connection with Compl. Case No.C-336 of o2018 Tr. No.2107 of 2018 by the learned court below

In the meantime, the learned court below shall issue notice to the O.P.no.2 and on her appearance he will verify the above submission that a compromise has been reached between the parties and if the submission is found true, the provisional bail to the petitioner shall be confirmed otherwise his bail bond shall be cancelled and petitioner has to surrender for regular bail..

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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