

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52235 of 2018

Arising Out of PS. Case No.-22 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Harinath Thakur Son of Late Ramashish Thakur, resident of Village- Raina,
P.S. Sakra, Distt. Muzaffarpur at present Cashier, Bihar Gramin Bank Branch
Kurahwa- Bhat, P.S.- Kalyanpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. State of Bihar
2. Raj Nandan Pd. Singh, S/o Radhey Shyam Pd. Singh, R/o Village-
Dhubganga, P.S. Kalyanpur, Distt.- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

8 16-10-2019 Heard the learned counsel for the petitioner and the

learned counsel appearing for the opposite party no. 2.

The present bail petition has been filed on behalf of
the petitioner who apprehends arrest in connection with
Complaint Case No. 22 of 2016 wherein the learned Court
below has taken cognizance under Sections 420 and 406 of the
Indian Penal Code and Section 138 of the N.I. Act.

The case of the complainant in brief is that the
complainant had advanced a sum of Rs. 3,00,000/- by way of
loan to the petitioner herein which was returned back to the
petitioner by way of three cheques amounting to a sum of Rs.
one lac each, however, when the said cheques were presented



before the Bank by the complainant, they were dishonoured on account of insufficient funds in the account of the petitioner herein.

The learned counsel for the petitioner submits that the petitioner is ready to deposit 50% amount before the learned Court below for the purposes of grant of anticipatory bail, however, the said deposit should be made subject to the result of the complaint case in question.

The learned counsel for the opposite party no. 2 has vehemently opposed the prayer for bail and has submitted that if at all the petitioner is made to deposit the aforesaid amount of Rs. 1.50 lakhs, the same be directed to be disbursed in favour of the complainant.

Having regard to the facts and circumstances of the case, this Court deems it fit and proper to direct the petitioner to be released on anticipatory bail within a period of three weeks' from today upon arrest/surrender before the learned court of A.C.J.M., Samastipur subject to deposit of a sum of Rs. 1.50 lakh before the Najarat of the learned Civil Court at Samastipur in connection with Complaint Case No. 22 of 2016, as also upon such other conditions which may be deemed fit and proper to be imposed by the learned Court of A.C.J.M., Samastipur.



It is made clear that the aforesaid amount of Rs. 1.50 lakhs to be deposited by the petitioner would be kept in fixed deposit and would be subject to the final outcome of the complaint case in question.

The petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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