

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78940 of 2018

Arising Out of PS. Case No.-229 Year-2016 Thana- DANAPUR District- Patna

Ajay Kumar aged about 50 years, S/o Late. Shiv Kumar, R/o Village
Sultanpur, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Vikram Singh

For the Opposite Party/s : Mr.Sri Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Danapur P.S. Case No. 229 of 2016 registered
for the offences punishable under Sections 406 and 420 of the
Indian Penal Code.

Informant has alleged in his written complaint that
petitioner and one Chunnu Kumar by way of friendly loan
received Rs. 8,00,000/- from him for treatment of their mother
and on demand of his money he gave a cheque which was
dishonoured due to insufficient fund.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case. As a matter of fact, on account of
certain exigency and to meet the sudden requirement of money,
the petitioner had taken Rs. 1,00,000/- from the informant by



account payee cheque and thereafter in between November 2013 to January 2016 the petitioner had returned Rs. 1,00000/- to the informant. There is no evidence to show that petitioner has taken Rs. 8,00000/- from the informant. The cheque given by petitioner as security amount has been misused by informant. Petitioner is a government servant. Petitioner is in custody since 15.10.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Danapur, in connection with Danapur P.S. Case No. 229 of 2016, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/-

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