

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76286 of 2019

Arising Out of PS. Case No.-222 Year-2012 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. MD. HASNAIN Son of Md. Azam
 2. Md. Mumtaz Ansari@Momtaj Son of Late Ahamad Ansari
Both are resident of Mohalla - Sarai, Killaghat Road, P.S.- Tatarpur, Distt -
Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

4 03-12-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Kotwali (Adampur) P.S. Case No. 222/12 registered for the offence punishable under Sections 406/420 of the Indian Penal Code and Section 138 of the N.I. Act.

Learned counsel for the petitioners submits that the present petitioners are poor weavers and had taken a loan of rupees twenty-five thousand from the Bihar State Minority Fiance Nigam Ltd. and had submitted post dated cheques for return of the loan amount. Learned counsel for the petitioners submits that their business could not succeed and when the



cheques were placed for realization, the same was returned for want of funds. It is under such circumstances that the present petitioners are apprehending his arrest. Learned counsel for the petitioners submits that the said loan had been waived vide Annexure-2 on 03.08.2011, but ignoring the same, the present FIR has been filed.

Considering the aforementioned facts and circumstances and that the petitioner is a petty weavers and that he is having no criminal antecedent, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhagalpur, in connection with Kotwali (Adampur) P.S. Case No. 222/12 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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