

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79062 of 2018

Arising Out of PS. Case No.-204 Year-2018 Thana- DAGARUA District- Purnia

Md. Naushad Alam son of Md. Hafij @ Hafizuddin R/o Village- Dagaruwa,
P.S. - Dagaruwa, Distt.- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K. Agrawal, Sr. Advocate Md. Ziaul Quamar, Advocate Preety Kunwar, Advocate
For the State	:	Mr. Ramchandra Sahani, A.P.P.
For the Informant	:	Dr. Anand Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 04-02-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Dagaruwa P.S.Case No. 204 of 2018, registered for offenses punishable under Sections 406 and 420 of the Indian Penal Code and 138 of N.I.Act.

Allegation as per F.I.R. against the petitioner is that the petitioner has taken loan from the informant of Rs. 5,00,000/- with condition that he will return the same within three months, but he did not return the said amount and when the petitioner was given a cheque of Rs. 5,00,000/- to the informant, the said cheque was dishonored.

Submission of the learned counsel for the petitioner is that the petitioner has falsely been implicated in this case and the petitioner himself and as such Section 420 is not made



out and further it has been submitted that inspite of that, he is still ready to deposit the part amount through the Bank Draft to Opposite Party but that will be subject to the result of the case.

Learned A.P.P. as well as learned counsel for the Opposite Party No.2 have no objection to that.

In view of the above facts and circumstances, this application is disposed of with a direction to the petitioner to surrender within a period of six weeks from the receipt of the order with a Bank Draft of Rs.1,50,000/- be given to the informant in the Court below itself and on deposit, the petitioner, above named in the event of his arrest or surrender, be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each in connection with Dagaruwa P.S.Case No.204 of 2018, to the satisfaction of learned Chief Judicial Magistrate, Purnea, subject to the conditions as laid down under Section 438 92) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(Vinod Kumar Sinha, J)

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