

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5682 of 2019

Arising Out of PS. Case No.-296 Year-2016 Thana- PURNEA SADAR District- Purnia

Dr. Md. Asad Imam Son of Late Md. Atik Resident of Mohallah- Naya Tola,
Lakhan Bazar, P.S.- Line Bazar, District- Purnea (Bihar), Director, Millia
Educational Trust, Purnea.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Mritunjay Kumar Son of Late Shiv Nandan Malik Resident of Mohallah
Gokulkrishna Ashram, P.S.- K. Hat, District- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Giri
For the Opposite Party/s : Mr.Manish Kumar No2

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-02-2020 Heard the parties.

This application has been filed for cancellation of bail granted to O.P.no.2 vide order dated 31.8.2018 passed by CJM, Purnea in connection with Sadar P.S.Case No.296 of 2016 under Section 406 and 420 of the IPC.

Ground for cancellation of bail is that the learned CJM has allowed bail only on the ground that the issued cheque has not been deposited in the bank as such no case is made out under Section 406 of the IPC.

From perusal of the record it appears that learned CJM has allowed bail on the ground that cheque has not been deposited and as such no case is made out. Apart from that



there is no prosecution case that since beginning, O.P.no.2 has no intention to return the amount. There is no allegation of misuse of privilege of bail or tampering with the evidence or any chance of absconding of O.P.no.2.

Considering the same, I find no merit in this application. Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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