

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31130 of 2020

Arising Out of PS. Case No.-346 Year-2019 Thana- MUFFASIL District- West Champaran

DILIP SAH Son of Mohan Sah Resident of Village - Sargatiya, P.S.-
Gopalpur, District - West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sachida Nand Rai, Advocate.
For the State	:	Mr. Sunil Kumar Pandey, APP.
For the Informant	:	Mr. Umesh Chandra Verma, Advocate.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 29-01-2021 Heard the parties.

The petitioner is languishing in custody for the offence punishable under Sections 420, 406, 467 and 468/34 of the Indian Penal Code and Section 138 of the N.I. Act.

Petitioner is in custody since 15.11.2019. Allegation is that he had taken loan from different persons named in the F.I.R. and has issued a receipt of the same on non judicial stamp paper. The loan was taken for running a poultry farm. The money has not been refunded.

Learned counsel for the petitioner submits that apparently the matter is of civil dispute. Every non refund of money does not amount to dishonest and fraudulent intention.

Learned counsel for the informant opposed the prayer



for bail.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Bettiah Muffasil P.S. Case No. 346 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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