

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3310 of 2021

Arising Out of PS. Case No.-2241 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Yogesh Kumar S/O Late Baijnath Singh Managing Director M/S Nath Consumer Products Pvt. Ltd. Plot No. 15/16 Industrial Area, P.O-Industrial Area, P.S-Hajipur Sadar, District-Vaishali, Presently Residing At Marai, Main Road Hajipur, P.O-Industrial Area, P.S.-Hajipur Sadar, District-Vaishali At Hajipur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Indrajeet Kumar Singh S/O Late Haridwar Prasad Singh Resident Of Mohalla N-32 Professor Colony, Chitragupt Nagar, P.O.-Lohiya Nagar, P.S.-Patrakar Nagar, Kankarbagh, District-Patna.
3. Anju Singh W/O Ranjeet Kumar Singh Resident Of Mohalla-N-32 Professor Colony, Chitragupt Nagar, P.O.-Lohiya Nagar, P.S.-Patrakar Nagar, Kankarbagh, District-Patna.
4. Kamta Sinha S/O Late Basudev Prasad Resident Of Mohalla-Urmila Sadan, Saketpuri, Road No.1, Hanuman Nagar, P.O-Lohia Nagar, P.S.-Patrakar Nagar, District-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Pandey,Adv
For the Informant	:	Mr.Vijay Anand, Adv
For the State	:	Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 06-04-2021 Let the defects be removed within two weeks of the
start of the physical Court.

Heard the parties in virtual Court.

Petitioner seeks bail in a case registered for the
offences punishable under Section 138 of the N.I.Act and
Section 406 of the Indian Penal Code.

Allegation is that the opposite parties had advanced



loan to the petitioner on prescribed interest, vide agreement at Annexure-1. When the money was not refunded, complaint case was lodged. Petitioner is in custody since 03.06.2020.

The impugned order would reveal that the petitioner was allowed bail on condition that the petitioner would refund the claimed amount to the opposite parties. Petitioner did not fulfill condition. Hence, bail bond amount was forfeited.

Learned counsel for the informant opposed the prayer for bail.

Considering the nature of dispute which makes out a case of civil liability also as well as considering the fact that the offence alleged under Negotiable Instrument Act is bailable, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.50,000/- (Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Complaint Case No.2241(C) of 2016 with following conditions:

(a) Both the bailors shall be 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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