

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32378 of 2021

Arising Out of PS. Case No.-14 Year-2021 Thana- MOTIHARI TOWN District- East
Champaran

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1. Amit Kumar @ Ajit Kumar S/o Sunil Kumar Resident of Thakur Bari, Deoraha Baba Chowk, P.S.- Town Thana, Motihari, District- East Champaran.
 2. Sunil Kumar S/o Lalita Prasad Resident of Thakur Bari, Deoraha Baba Chowk, P.S.- Town Thana, Motihari, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Adv.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 01-02-2022 Earlier, prayer for bail of the petitioner no. 1 was
dismissed as withdrawn.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through the virtual
court proceeding.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 420 of the
Indian Penal Code.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that there is specific allegation against Amit Kumar (petitioner no. 1) and petitioner no. 2 is father of petitioner no. 1. It is submitted that the petitioner no. 1 was working in the firm of the informant as Munsif and money were withdrawn by him during course of business and after withdrawal of amount, the petitioner no. 1 used to hand over the same to the informant. It is further submitted that some dispute arose between the petitioner no. 1 Amit Kumar and informant on the point of enhancement of his salary, thereafter, he left his service. It is also submitted that to put pressure on him the informant has lodged the present case. It is further submitted that this is a case of cheque bouncing but FIR has not been lodged under Section 138 of the NI Act. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond



of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Motihari Town Thana P.S. Case No. 14 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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