

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45486 of 2021

Arising Out of PS. Case No.-2240 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 R/o 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 R/o Mohalla- N-32 Professor Colony, Chitragupt Nagar, P.O.- Lohiya Nagar, P.S.- Patrakar Nagar, Kankarbagh, District- Patna
4. Urmila Devi W/o Kamta Sinha R/o 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
For the Opposite Party/s : Mr.Anant Kumar 1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-01-2022 This matter is taken up for consideration through

Video Conferencing.

Heard both parties.

The petitioner seeks bail in Complaint Case No.
2240(C) of 2016, registered for the offence punishable under
Section 406 of the Indian Penal Code and section 138 of the
Negotiable Instruments Act.



As per the complaint case, this petitioner took loan of Rs. 16,50,000/- from the complainants, but did not return by him as per the agreement entered into between the parties. Further alleged that petitioner gave two cheques to the complainants, but when the same was presented before the bank same got dishonoured due to insufficient amount.

It is submitted on behalf of the petitioner that out of the alleged amount, Rs. 5,00,000/- has already been deposited by the petitioner in favour of the complainants and petitioner is in custody since 21.10.2020 and has thus, remained in custody for more than 15 months. It is further submitted that petitioner undertakes to pay Rs. 2,00,000/- in favour of the complainants within a period of four weeks, if he is released on bail.

However, counsel for the informant vehemently opposed the bail application and submitted that petitioner has not deposited Rs. 5,00,000/- rather he deposited only Rs. 2,00,000/- in favour of the complainants.

In view of the undertaking given by the petitioner, the petitioner above-named, is directed to be enlarged on **provisional bail** on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class



(Negotiable Instruments Act), Patna Sadar, in connection with Complaint Case No. 2240(C) of 2016, subject to the condition that petitioner will deposit Rs. 2,00,000/- in favour of complainants through demand draft within a period of four weeks from the receipt/production of a copy of this order. If the petitioner fails to pay the said amount within the aforesaid period, the provisional bail granted to the petitioner shall be cancelled by the court below.

(Prabhat Kumar Singh, J)

vinita/-

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