

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38714 of 2020

Arising Out of PS. Case No.-1008 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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NURBANO @ NOORBANO W/o Sanuavar Ali @ Mohammad Sanuvar Ali Sah @
Sanuavar Ali Sah R/o Ward No. 8, Indra Nagar, Tamkuhi Road, Sewrahi, P.S.-
Sewrahi, District- Kushinagar, Uttar Pradesh, at present posted as A.N.M. at Primary
Health Centre, Thakraha, P.S.- Thakraha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suresh Prasad S/o Late Ram Bharat Prasad R/o Village- Dupwaliya, Ward
No. 9, P.S.- Bagaha, District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Complaint Case No. C-1008 of 2018 instituted for the
offence under Sections 420 of the Indian Penal Code and U/S



138 of NI Act.

As per allegation in the FIR, petitioner has taken a loan of Rs. 11 lakh and 13 thousand from the complainant on the pretext of marriage of her daughter and for sending her abroad and on asking to return the same by the complainant, she denied.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner has not borrowed any money from the complainant nor any chit of paper as a proof is with him. No offence under section 138 of N.I. Act is made out against the petitioner.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Complaint Case No. 1008 C/2018, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the



satisfaction of learned ACJM 1st, Bagaha subject to the
conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

sushma/-

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