

Arising Out of PS. Case No.-1403 Year-2021 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

- ... Petitioner/s

1. The State of Bihar
2. Bihari Lal Rai Son of Late Shivnandan Rai R/o Village- Jitwarpur Nizamatpur, P.S.- Muffasil, District- Samastipur

... .. Opposite Party/s

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate
Mr. Kumar Rajdeep, Advocate
Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Atul Chandra, A.P.P.

2 19-12-2022 Heard learned counsels for the petitioners,
 complainant and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 420, 379/34 of Indian Penal Code.

As per prosecution case, it is alleged that both the petitioners stole signed cheque of the complainant from his almirah and withdrew Rs. 2 lakhs from his account. It is further



alleged that despite assurance they did not return the same.

Petitioner No. 2 is wife of petitioner No. 1.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. They never visited the house of the complainant. As a matter of fact, because of good relation between the parties, petitioners helped him by giving loan of Rs. 2 lakhs and in return the cheque of Rs. 2 lakhs was given by the complainant to the petitioners in lieu of loan taken by him. Cheque of complainant was never stolen by the petitioners. Petitioners have got clean antecedent.

However, learned counsel for the complainant vehemently opposes the prayer for bail application submitting that there is specific allegation that both the petitioners took the cheque of the complainant and encashed it.

Considering the aforesaid facts and circumstances, let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-II, Samastipur in Complaint Case bearing CR No. 1403 of 2021,



subject to condition as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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