

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16380 of 2023

Arising Out of PS. Case No.-62 Year-2019 Thana- MORKAHI District- Khagaria

1. Ram Dayal Das Son Of Late Girdhar Das R/V- Dharampur Ram, Lakhanpur Ram, P.S- Desari, Dist- Vaishali
2. Dayanand @ Dayanand Divakar Son Of Ramdayal Das R/V- Dharampur Ram, Lakhanpur Ram, P.S- Desari, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Akhter Hussain, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 04-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 420 and 34 of the Indian Penal Code.

As per the prosecution case, accused persons issued four cheques of Rs. 2,00,000/- each i.e. Rs. 8,00,000/- in total, when the informant went to the bank and present the cheques before Bank, the same became bounced.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioner no. 1 is father of co-accused Brijnandan Kumar and petitioner no. 2



is brother of co-accused Brijnandan Kumar. He further submits that there is nothing due against these petitioner and the four cheques in question does not bear the signature of these petitioner. There is business transaction between the informant and co-accused Brijnandan Kumar. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as well as there is civil nature dispute between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Morkahi P.S. Case No.62 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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