

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83443 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Surendra Kumar S/o Ramnakul Prajapat R/o Mohalla- Ghughari Tand, By-pass Road, SBI ATM, P.S.- Vishnupad, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rajiv Kumar Singh S/o Shurendra Singh Resident of Madhusudan colony Road no 5 Near S.B.I. ATM p.s. Vishnupad Dist- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 04-02-2025 Heard Mr. Pramod Kumar Singh, learned counsel for the petitioner and Mr. Binod Kumar, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 406 and 420 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner has taken Rs. 2,00,000/- from the informant and against that amount a cheque was handed over in favour of the informant but the said cheque was dishonored due to insufficient funds.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that it



is a case under Section 138 of the N.I. Act which is bailable in nature. Moreover, the petitioner is languishing in judicial custody since 23.06.2024.

5. Learned counsel for the informant vehemently opposes the prayer of regular bail stating that petitioner has four criminal antecedents of similar nature. Further he submits that he admitted in the trial Court that he will pay the amount in cash which he has taken from the informant.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Magadh Medical P.S. Case No. 104 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -II, Gaya.

(Ashok Kumar Pandey, J)

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