

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37262 of 2018

Arising Out of PS.Case No. -709(C) Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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Shivendra Mohan Choudhary, S/o Late Bijendra Narayan Choudhary, R/o
Dev Murti Bhawan, Road No. 14B, Rajeev Nagar, P.S.- Rajeev Nagar,
District- Patna.

.... Petitioner/s
Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durga Nand Jha, Adv.

For the Opposite Party/s : Mrs. Pronati Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN

PRASAD

ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner, in the present case, is seeking regular bail in connection with Complaint Case No.709(C) of 2016, registered for offences alleged under Sections 420 and 406 of the Indian Penal Code and Section 138 of N.I. Act.

It is a case of dishonour of cheque. Learned counsel for the petitioner, on instructions, submits that the petitioner is ready to pay a sum of Rs.1,00,000/- at the time of his release and further undertakes to pay rest Rs.1,00,000/- within two months from the date of his release.

Learned APP for the State is present.

Considering the facts and circumstances whereunder this



case seems to have arisen only because of dishonour of cheque bearing no.826146 of Rs.2,00,000/- and that the petitioner is ready and willing to pay back the said amount to the complainant, I would direct for release of the petitioner on bail. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Danapur in connection with Complaint Case No.709(C) of 2016, subject to the conditions U/S 437(3) Cr.P.C. and subject to the further condition that at the time of furnishing bail bond he would also pay a sum of Rs.1,00,000/- to the complainant by way of demand draft in favour of the complainant and the balance amount of Rs.1,00,000/- shall be paid to the complainant within a period of two months from the date of his release.

Let it be recorded that this order is being passed on the statement made on behalf of the petitioner by the learned counsel and in case the petitioner would fail to abide by the undertaking given before this Court the court below shall be obliged to cancel the bail bond without seeking any application for this purpose on behalf of the complainant.

Arvind/-

(Rajeev Ranjan Prasad, J)

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