

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.4475 of 2015

Arising Out of PS.Case No. -561 Year- 2014 Thana -DARBHANGA COMPLAINT CASE District-  
DARBHANGA

1. Manoj Kumar Sah Son of Shivjee Sah Resident of vill-Madhvapur,P.S-  
Madhvapur,Distt.-Madhubani

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogendra Kumar Singh  
For the Opposite Party/s Mr. Surendra Kr.(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA  
ORAL ORDER

02/ 03.02.2015 Heard learned counsel for the petitioner as well as learned  
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with C.R. no.  
561/2014 in which cognizance has been taken for the offence under  
section 420 of the IPC and section 138 of the N.I. Act.

The accusation against the petitioner is that he gave a  
cheque of Rs 10/- lakhs in security to procure dealership of the firm of  
the complainant but when the aforesaid cheque was produced before  
the concerned bank, concerned cheque was dishonored on account of  
insufficient of money.

The contention on behalf of the petitioner is that according to  
the complaint case, cheque in question was handed over to the  
complainant on 7.3.2014 but, as a matter of fact, much prior to the  
above stated date, petitioner had taken dealership of the firm of the  
complainant and he was in business of the complainant since the year

2012 which is evident from the documents of dealership of the firm. It is further contended by him that, as a matter of fact, at the time of taking dealership of the firm, petitioner had given blank cheque to the complainant in security but when the petitioner severed from the complainant, complainant lodged false case against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Darbhanga in C.R. no. 561/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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