

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10310 of 2015

Arising Out of PS.Case No. -1267 Year- 2014 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

- =====
1. Umashankar Prasad Gupta @ Uma Shankar Pd. Gupta son of Vinod Bihari Gupta
 2. Vinod Bihari Gupta son of Late Lakshmi Sah Both are resident of Mohalla - Mahawat Toli, Ujjain Tola, Police Station - Bettiah Town, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sunil Kumar Son of Rajeshwar Prasad Resident of Village - Englishiya, P.S. + P.O. - Chautarwa, Dist. - West Champaran.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 25-06-2015 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State as also learned counsel, appearing for the complainant.

Petitioners apprehend their arrest in connection with Complaint Case No. 1267C of 2014 in which, cognizance has been taken under Section-138 of the Negotiable Instrument Act.

Admittedly, the cheque, in question was issued by the petitioner No. 1 but submission on behalf of the petitioners is that as a matter of fact, blank cheque had been given to one, Vijay Kumar, who was earlier business partner of the petitioner No. 1 but when some differences took place between the petitioner No. 1 and aforesaid Vijay Kumar, the said Vijay Kumar set up the

complainant, who happens to be his employee and got instituted the present false case.

Considering the aforesaid facts and circumstances of the case as well as submission of the parties, I do not feel it proper to extend the privilege of anticipatory bail to the petitioner No. 1 namely, Uma Shankar Prasad Gupta @ Uma Shankar Pd. Gupta and accordingly, his prayer for grant of anticipatory bail in connection with Complaint Case No. 1267C of 2014 stands rejected.

So far as petitioner No. 2 namely, Vinod Bihari Gupta is concerned; no specific overt act has been attributed against him and accordingly, it is ordered that petitioner No. 2 namely, Vinod Bihari Gupta, in the event of his arrest or surrender within four weeks from the date of receipt/production of copy of the order in the court below, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Complaint Case No. 1267C of 2014 to the satisfaction of Learned Chief Judicial Magistrate, West Champaran at Bettiah.

(Hemant Kumar Srivastava, J)

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