

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33810 of 2015

Arising Out of PS.Case No. -2872 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Ravindra Kumar S/O Mukhlal Prasad Resident of Village- Dhumnagar,
Katehari Tola, P.S. - Nautan, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ashok Kumar Srivastava S/o Late Ramchandra Srivasrava Resident of
Mohalla- Chandmari, P.S.- Motihari Town, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Ms. Dr.Indiwar Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 30-11-2015 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No. 2872-C/2012, registered for the offences punishable under Section 406 of the Indian Penal Code and 138 of Negotiable Instrument Act.

The gist of the allegation is that the petitioner took loan of Rs. 4,70,000/- from the complainant, but the complainant issued a cheque and the cheque on being presented to the bank was not honoured.

Learned counsel for the petitioner submits that the petitioner issued a cheque of Rs. only 70,000/- in lieu of discharge

of debt, but the complainant made interpolation in the cheque which is annexure 3. Annexure 3 itself shows that Rs. 4,00,000/- was inserted in the cheque in words as well as in digit.

However, on the other hand, learned counsel for the complainant submitted that both the writings on the cheque are of the same person. The complainant did not make interpolation in the cheque.

Having considered the facts aforesaid and the fact that there appears to be writing at two different places, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Complaint Case No. 2872-C/2012, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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