

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35904 of 2015

Arising Out of PS.Case No. -362 Year- 2015 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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Santosh Prasad Kashyap son of late Manik Chand Seth resident of village/
Mohalla- Chaukhandi, PS- Sasaram, District- Rohtas (Bihar)

.... Petitioner

Versus

1. The State of Bihar
2. Nitesh Kumar Singh son of Uma Shankar Singh, Resident village- Nib,
PS- Sheisagar, District- Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Usha Rai, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

4 07-12-2015 Heard both sides.

The petitioner apprehends his arrest in Sasaram (T)
P.S. Case No. 362/2015, registered for the offences punishable
under Sections 406, 420, 467, 471 of the Indian Penal Code.

The informant filed a complaint case on the basis of
which the present FIR is lodged. The informant alleged in his
complaint petition that the petitioner was his good friend, but he
found missing some cheques of different Banks from his cheque-
books. The informant along with the petitioner went to the Bank
and requested for stop payment on the aforesaid cheques. It is
stated that on 18.02.2015 the informant got notice for
dishonouring of cheques. Then, the informant came to know that it

was the petitioner who had stolen the cheques from his cheque-books.

It is submitted that the petitioner is a jewellery shop owner and the informant is a contractor. The informant had taken loan of Rs. 45,50,000/- and he himself handed over the cheques to the petitioner. Later on, when the petitioner gave notice the informant filed this case making false and omnibus allegation.

It appears that the cheque was not honoured and no loss was caused to the informant. The dispute appears with regard to lending and borrowing of money.

Considering the facts aforesaid, the petitioner above named 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 learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (T) P.S. Case No. 362/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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