

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43683 of 2015

Arising Out of PS.Case No. -373 Year- 2014 Thana -PATNA COMPLAINT CASE District- PATNA

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1. Arun Kumar son of Sidheshwar Prasad, a resident of village- Sarthua, P.S.- Shahjahanpur, District- Patna, at present- Mohalla- Jalla Road, Maliya Mahadeo Maharajganj, in the house of Shankar Sao, near Shyam Mansion, P.S.- Alamganj, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Vijay Kumar, son of Sri Tulsi Prasad, Resident of village- Aurangpur, P.O.- Netaul, P.S.- Kadirganj (Dhanarua), District- Patna at present- Sristi Bihar Colony, Road No. 3, Bhagwat Nagar, Kumhrar, P.S.- Agamkuan, District- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar
For the Opposite Party/s : Mr. Md.Sufiyan(App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 16-10-2015 Heard learned counsel for the petitioner and the State as well as learned counsel appearing on behalf of the Informant.

The petitioner apprehends his arrest in a case under sections 406 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

The main allegation against the petitioner is that he issued a cheque worth Rs.3,50,000/- which was dishonoured.

The petitioner submits that only summons has been issued and the dispute if any is of civil nature.

On the other hand, learned counsel for the informant

submits that the petitioner has duped him of a big amount.

Having regard to the facts and circumstances of the case, the petitioner Arun Kumar is directed to be released on anticipatory bail, in the event of his arrest/surrender, in connection with Complaint Case No.373/2014 on furnishing bail bond of Rs.5,000/- with two sureties of the like amount each to the satisfaction of the S.D.J.M., Patna City subject to the conditions that he would deposit a sum of Rs.75,000/- in three equal monthly installment in the court below, which would be deposited in the Bank Account of the Court so that the parties may not loose its interest. The aforesaid deposit would be subject to the result of the criminal proceedings in the court below.

(Samarendra Pratap Singh, J)

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