

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41608 of 2015

Arising Out of PS.Case No. -406 Year- 2012 Thana -MASAURHI District- PATNA

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1. Md. Serajuddin @ Seraj, Son of Md. Hussain, resident of Village- Nadawan, P.S.- Dhanarua, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jogendra Kumar

For the Opposite Party/s : Mr. Ashok Kr.Singh No.1(App)

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 08-10-2015 Heard the learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner, namely, Md. Serajuddin @ Seraj who apprehends his arrest in Masaurhi P.S. Case No.406 of 2012 under Sections 406 and 420 of the Indian Penal Code.

It appears that F.I.R. was lodged by the informant alleging that the petitioner was the agent of J.V.G., Non-Banking Company and the informant had deposited Rs.8,000/-, Rs.5,000/- and Rs.3,000/- for three times and after maturity, the petitioner handed over her a cheque dated 29.07.1998 of the Punjab National Bank which could not be encashed and, therefore, she doubted that the petitioner might have not deposited the amount in the Company.

The learned counsel for the petitioner submitted that the cheque is of the year 1998. If it was not encashed in the year 1998, the case should have been filed immediately but this F.I.R. has been lodged in the year 2012. Moreover, it is not the case of the informant that the cheque could not be encashed by the Company because Company found that the informant had never deposited any amount nor it is the case that the cheque filed by the informant was bounced for want of the money.

From perusal of the order passed by the District Judge, it appears that except the allegation and suspicion raised against the petitioner, there is nothing against him.

Considering the above facts, I direct the petitioner named above to surrender before the court below within six weeks from today and on his so surrendering, the court below is directed to release the petitioner on bail on furnishing bail bond of Rs.10,000/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Masaurhi, Patna in connection with Masaurhi P.S. Case No.406 of 2012.

(Mungeshwar Sahoo, J)

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