

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43471 of 2015

Arising Out of PS.Case No. -75 Year- 2015 Thana -SURYAGARHA District- LAKHISARAI

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1. Awadhesh Jaiswal Son of Sri Harish Chandra Jaiswal Prop. Pawan Kumar & Pankaj Kumar, 35/82, Awadhgarhi, Senarpura, Varanasi (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar
2. Murari Kumar S/o Rambilash Sah, Prop. M/s Maihar Golla Bhandar, At. Surajgarha, P.S. -Surajgarha, Dist. - Lakhisarai

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. Ahmad Ali(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 23-11-2015

Heard both sides.

The petitioner apprehends arrest in a case registered for the offences punishable under sections 406, 420 of the Indian Penal Code and section 138 of the N.I. Act.

The complainant and the petitioner were transacting with each other and they were purchasing and selling grains. It is alleged that Rs.6,13,000/- was lying due against the petitioner. The petitioner issued cheques but one cheque of Rs.2,13,000/- could not be honoured.

It is submitted that the petitioner has already made payment to the complainant. No amount is lying due. Petitioner handed over a cheque to the complainant but later on the petitioner

made payment through cash and one cheque of Rs.50,000/-. No amount is lying due against the petitioner.

Considering the facts aforesaid, the petitioner above named, in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, shall be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Suryagarha P.S. Case No. 75 of 2015 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Prabhat Kumar Jha, J)

Amin/-

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