

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13217 of 2015

Arising Out of PS.Case No. -2229 Year- 2013 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

Singeshwar Mandal @ Umesh Mandal @ Sidheshwar Mandal, son of
Baldeo Mandal @ Basudeo Mandal, resident of Goun Pardas, Budha Nath,
P.S.- Adampur, District- Bhagalpur

.... Petitioner

Versus

1. The State of Bihar
2. Mohini Devi Singhanika, wife of Late Ramowatar Singhanika, resident
of Mohalla- Sujaganj, P.S.- Kotwali, District- Bhagalpur

.... Opposite Parties

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate
For the State : None
For the Informant : Mr. Indeshwari Prasad Mandal, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 02-09-2015

Heard learned counsel for the petitioner and the
learned counsel for the complainant.

None appears on behalf of the State.

The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 2229 of 2013 in which cognizance has
been taken under Sections 323, 504, 420 of the Indian Penal
Code and 138 of the Negotiable Instruments Act.

It is contended that apart from Section 420 IPC, all

other sections are bailable in nature. It is further submitted that in the background of the facts alleged, the ingredients of the offence punishable under Section 420 IPC would not be attracted.

On the other hand, learned counsel for the complainant has vehemently opposed the prayer for pre-arrest bail of the petitioner. He has submitted that the petitioner had taken a loan of Rs. 4 lakhs from the complainant and had issued a cheque in favour of the complainant which got dishonoured on being presented before the bank.

Regard being had to the nature of allegation, in the event of arrest or surrender within a period of six weeks from today, the petitioner is directed to be released on anticipatory 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 Judicial Magistrate-1st Class, Bhagalpur in connection with Complaint Case No. 2229 of 2013 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--