

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24465 of 2015

Arising Out of PS.Case No. -160 Year- 2015 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

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1. Pankaj Kumar son of Sri Arvind Kumar Singh, resident of mohalla-
Nawal Kishore Nagar, P.S.-Sadar, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Manoj Kumar No.1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 30-10-2015

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406, 420 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

The notices were issued to the informant/O.P. No. 2 vide order dated 29.06.2015. The office note dated 13.10.2015 reflects that though informant/O.P. No. 2 received notices but refused to give receiving. In the circumstance, vide order dated 14.10.2015, the notices issued to the informant/O.P. No. 2 was treated as valid service.

The prosecution case is that petitioner being Administrator of Samridh Educational & Welfare Association persuaded the informant and others to make 50 members in each month and each member was charged Rs. 500/- and Rs. 250/- as fee and material charge. It is also alleged that one

Priti Kumari was appointed by the institution as office staff on salary of Rs. 7000/- per month but no payment was made to her though a cheque of Rs. 1500/- was issued which got bounced.

It is submitted by learned counsel for the petitioner that there is no proof with regard to deposit made by the informant and others or anybody on behalf of the informant in the institution. So far as the alleged cheque is concerned, that cheque was issued to Priti Kumari but she never presented this cheque to the bank for encashment. Subsequently she returned the said cheque and received cash amount.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, 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 learned Additional Chief Judicial Magistrate, Muzaffarpur in connection with Kazimohammadpur P.S. Case No. 160 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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