

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40772 of 2015

Arising Out of PS.Case No. -96 Year- 2015 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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Akash Jaiswal s/o Baidyanath Chaudhari @ Dipak Prasad Jaiswal R/o At -
Chowk Bazar, PO & PS - Mehasi 845426, Dist : East Champaran, Bihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sandip Singh, Advocate.

For the Opposite Party : Mr. Dinesh Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-10-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 415, 420 and 34 of the Indian Penal Code and under Sections 138 and 142 of the N.I. Act.

The informant alleged that the petitioner borrowed Rs. 12,50,000/- and Rs. 5,00,000/- from the complainant. The petitioner is alleged to have handover blank cheque to the informant when the cheque presented the same was not honoured.

It is submitted that the allegation is false and concocted. For recovery of loan amount of Rs. 5,00,000/- the informant filed another case. It is further submitted that from perusal of para-7 of the bail petition, it would appear that the petitioner deposited Rs.

11,80,000/- on different dates in the account of the informant either through cheque or cash. The informant fraudulently presented the cheque only to cheat and took more and more money.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on 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 IV, Motihari in Mehasi P.S. Case No. 96 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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