

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5826 of 2015

Arising Out of PS.Case No. -221 Year- 2014 Thana -AURANGABAD TOWN District-
AURANGABAD

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Naushad Alam Son of Late Mumtaz @ Marhum resident of village -
Alinagar, Police Station - Town, Aurangabad, District - Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-02-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered under Section 406 of the Indian Penal Code and Section 138 of the Negotiable Instrument Act.

The informant alleged that the petitioner had taken a loan from him and in lieu thereof, he issued a cheque, but when the cheque was presented for encashment, the same was dishonoured.

Learned counsel for the petitioner submits that the petitioner has not taken any loan from the informant. He issued the cheque for investment in a business but when the informant came to know about the fraudulent intention of the informant, he informed the Bank about stopping payment of the said cheque. The cheque was not dishonoured but no payment was made.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned 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 bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, District - Aurangabad in Aurangabad Town P.S. Case No. 221/14, G.R. No. 1396/2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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