

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15543 of 2015

Arising Out of PS.Case No. -51 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Santoshi Devi wife of Rajesh Kumar Gupta resident of Mohalla - Karan Sarai Akhara Road, P.S. - Sasaram, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Baijnath Singh S/o Muni Singh resident of village - Kanchanpur, P.S. Sasaram, District - Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Madan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 03-09-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with Complaint Case No. 51 of 2014 registered for the offences punishable under sections 406, 420 of the Indian Penal Code and 138 of the Negotiable Instruments Act.

It is contended by the learned counsel for the petitioner that from perusal of the complaint itself it would appear that the ingredients of the offences punishable under sections 406 and 420 of the Indian Penal Code would not be attracted in the present case. He further submits that so far as Section 138 of the Negotiable Instruments Act is concerned, the same is bailable in

nature.

On the other hand, learned counsel for the Opposite Party No.2 has submitted that it is a gross case in which a cheque issued by the petitioner in favour of the complainant for an amount of Rs.5,00,000/- got dishonoured due to insufficiency of fund when it was presented before the Bank.

Be that as it may, regard being had to the nature of allegations, in the event of arrest or surrender before the court below within four weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sasaram at Rohtas in connection with Complaint Case No. 51 of 2014, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/-

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