

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39532 of 2015

Arising out of PS.Case No. -401 Year- 2014 Thana -GAYA KOTWALI District- GAYA

Md. Khurshid, son of Late Md. Salim, resident of Mohalla - Gewal Bigha,
Police Station - Rampur, District - Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kr. Sinha, Advocate.

For the Opposite Party : Mr. Shakir Ahmad (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is apprehending his arrest in connection with
Kotwali P.S. Case No. 401 of 2014 for the offences instituted
under Sections 420, 467 and 468/34 of the IPC.

The prosecution story, in brief, is that the petitioner is
said to be the prime accused who with his son acted in deceitful
and fraudulent manner in order to grab the factory in the name of
the husband of the informant, committed theft of blank cheques
kept in the office of the factory and after utilizing two such
cheques knowingly and intentionally got bounced the same
showing non-payment of Rs. 40,00,000/- in order to make out a
criminal case to put undue pressure on the husband of the

informant to pay back such amounts though no such amount had ever been remained unpaid in course of transaction between the two partners of the factory.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is a case and counter-case between the parties. Both parties at one time happen to be the business partners but due to dispute in the business both have instituted a case upon each other in respect to the outstanding dues between the partners. The matter relates to the civil in nature.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Kotwali P.S. Case No. 401/2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)