

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21273 of 2016

Arising Out of PS.Case No. -1209 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

Uday Narayan Singh son of Late Keshav Prasad Singh, resident of D/18,
P.C. Colony, Kankarbagh, P.S.- Kankarbagh, District- Patna, the proprietor
of M/S Uday Narayan Singh, Kisan Yatayat Service Station, Askamani
Nagar, Teacher Colony, P.S.- Bikramganj, Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bijay Kumar son of Sri Ganesh Prasad, resident of Dariyapur, Gola, P.S.-
Kadam Kuan, District- Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Md. Ashlam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**
ORAL ORDER

4 28-09-2016 Heard learned counsel for the petitioner and learned
counsel for the complainant.

The petitioner seeks pre-arrest bail in connection with
Complaint Case No.1209(c) of 2013 in which cognizance of the
offence punishable under Sections 420 of the Indian Penal Code
and 138 of the Negotiable Instruments Act has been taken.

It is contended by the learned counsel for the petitioner
that Section 138 of the Negotiable Instruments Act is bailable in
nature and nature of the complaint would not attract the
ingredients of the offence punishable under Section 420 of the
Penal Code.

On the other hand, learned counsel for the complainant has opposed the application for grant of pre-arrest bail to the petitioner. He has submitted that the petitioner has cheated the complainant to the tune of rupees one lac fifty thousand.

Be that as it may, regard being had to the facts and circumstances of the case, the provisional pre-arrest bail granted to the petitioner vide order dated 24.5.2016 is hereby confirmed.

(Ashwani Kumar Singh, J)

Md.S./-

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