

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51576 of 2015

Arising Out of PS.Case No. -236 Year- 2015 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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Sonu Kumar Son of Parshuram Singh resident of village - Malhi Bazar, P.S. Malahi, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sanjay Kumar @ Pandey Sanjay Kumar, S/o- Sheo Pujan Pandey @ Ramayan Singh, P.O. Rubhi, P.S. Majhawalua, Dist – West Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharidhar Mishra
Mr. Umesh Tiwari

For the Opposite Party/s : Mr. Hirday Pd. Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 04-08-2016 Heard learned counsel for the petitioner, informant
and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Bettiah Town P.S. Case No. 236 of 2015 for the offences registered under Sections 406, 420 of the Indian Penal Code and Section 138 of the N.I. Act.

Learned counsel for the petitioner submits that though the opposite party no. 2 had stored potatoes in his cold storage, the opposite party no. 2 had been continuously taking money in lieu thereof on several dates. In order to establish this fact, the petitioner has brought record Annexure-2, which clearly shows that on various dates, the opposite party no. 2 had received various amounts. It is further submitted that so far as the cheques are concerned, they were issued to the opposite party

no. 2 for meeting the cost of his mother's treatment and no money is due from the transaction of the cold storage.

Learned counsel appearing on behalf of the informant has failed to explain as to why no case under the relevant sections of the N.I. Act was lodged by way of complaint petition.

Considering the nature of allegation made and that the mediation process has already failed, let 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, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, West Champaran, Bettiah in connection with Bettiah (Town) P.S. Case No. 236 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Jagdish/-

(Anjana Mishra, J)

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