

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14268 of 2016

Arising Out of PS.Case No. -28 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

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Ajit Kumar Mishra Son of Sri Kunj Bihari Mishra resident of Mohalla -
Meena Bazar, Madhupur, P.S. Madhupur, District - Deoghar (Jharkhand)

.... Petitioner/s

Versus

1.The State of Bihar

2.Swami Sharan Prasad s/o Late Devendra Prasad, Manager Balajee Ingot
India Pvt. Ltd., Naya Bazar, Lakhisarai, P.S. + Distt - Lakhisarai

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari(App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 29-06-2016 Heard both sides.

The petitioner apprehends his arrest in Lakhisarai
(Kabaiya) P.S. Case No. 28/2015, registered for the offence
punishable under Sections 420, 406 of the Indian Penal Code.

The complainant alleged that the petitioner purchased
Iron rod and issued a cheque of Rs. 50,00,000/-, but the same was
not honoured.

It is submitted that the petitioner did not ever issue
cheque to the complainant. Petitioner is working in the firm of
Kamal Agrawal who is CNF agent of complainant and in lieu of
security he took cheques from the petitioner. The complainant
gave a legal notice vide annexure 3 and the petitioner replied to

the legal notice vide annexure 4 stating the entire facts. The petitioner also gave application in the bank to stop payment with regard to the cheques which were issued to Kamal Agrawal as security, in the year 2011 itself.

No one appears on behalf of the informant.

Considering the facts aforesaid, the petitioner, 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, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 28/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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