

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16143 of 2016

Arising Out of PS.Case No. -112 Year- 2013 Thana -PIYAR District- MUZAFFARPUR

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Munna Choudhary @ Indresh Choudhary son of Late Bindeshwar Choudhary resident of Village- Bandara, P.S.- Piar, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pankaj Kumar son of Nand Kishore Choudhary, resident of Village- Bandara, P.S.- Piar, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash, Adv.

For the Opposite Party/s : Mr. Akbar Ali(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2. 02-05-2016 Heard both sides.

The petitioner apprehends his arrest in Piar P.S. Case No. 112/2013, registered for the offences punishable under Sections 420, 467, 468, 120B of the Indian Penal Code.

The informant alleged that the petitioner took money for executing sale deed of land, but he neither executed the sale deed nor returned his money. Thereafter when the informant demanded to return his money, the petitioner gave a cheque, but the same was returned by the bank due to insufficient amount in the account of the petitioner. It is submitted that no case under Section 138 of the Negotiable Instrument Act is attracted. The petitioner did not receive any money from the informant. Dispute is of civil nature.

Considering the facts aforesaid and the fact that dispute is of civil nature, 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, Muzaffarpur in connection with Piar P.S. Case No. 112/2013, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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