

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21969 of 2016

Arising Out of PS.Case No. -774 Year- 2015 Thana -PURNIA COMPLAINT CASE District-
PURNIA

Subhash Prasad Jaiswal s/o Kamleshwari Prasad Jaiswal. Residence of
Village- Newa Lal Chowk, P.S.- K. Hat (Maranga), Distt.- Purnea.

.... Petitioner

Versus

1. The State of Bihar.
2. Nityanand Keshri s/o Late Laxmi Narayan, resident of Basant Vihar,
Newa Lal Chowk, P.S.- K. Hat (Maranga), District- Purnia.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Anil Kumar(APP)

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2. 24-05-2016

Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner apprehends his arrest in
relation to C.A. No. 774 of 2015 registered under
Sections 406 and 420 of the Indian Penal Code.

It is alleged that in course of business dealing
between the petitioner and complainant the petitioner had
given certain cheques which were dishonoured. The
complainant having taken no action in terms of Section
138 of the Negotiable Instrument Act and has filed this
complaint petition.

The allegation is denied and it is stated that
in course of business dealing repayment were made and

cheques were wrongly deposited. It is further submitted that the facts may be what they are, it only constitutes a civil cause of action from a civil dispute.

Be that as it may, in the event of his arrest/surrender before the court below within four weeks, let the petitioner, namely, Subhash Prasad Jaiswal, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Awdhesh Kumar, Additional Chief Judicial Magistrate – 6th, Purnea, in connection with C.A. – 774 of 2015, subject to conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J.)

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