

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32785 of 2016

Arising Out of PS.Case No. -6 Year- 2015 Thana -COMPLAINT CASE District- SHEOHAR

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Ramesh Sah @ Ramesh Kumar, S/o Ramchandra Sah, R/o Village-
Dumma, P.S.- Tariyarni, District- Sheohar.

.... Petitioner

Versus

1. The State of Bihar

2. Subodh Kumar, Son of Late Mahendra Prasad, Resident of Village-
Ashogi, Police Station- Purnahiya, District- Sheohar.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Kaushalesh Choudhary, Advocate.

For the State : Mr. Md. Arif, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-12-2016 Heard learned counsels for the petitioner, complainant
and learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 06 of 2015 for the offences instituted
under Sections 406, 420, 120(B) of the IPC and 138 of the N.I.
Act.

The prosecution story, in brief, is that the petitioner was
in need of money. So, he taken Rs. 3,00,000/- from the
complainant. The complainant asked the petitioner to back his
money. He issued a cheque of Rs.3,00,000/- in favour of the
complainant but the same was bounced.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering with the witnesses alleged against the petitioner. He has



falsely been implicated in the present case. As per the complaint case, the petitioner had issued a Cheque of Rs. 3,00,000/- dated 14.05.2014. The said Cheque is said to have bounced. Ultimately, the matter was settled and Annexure-4 was prepared under the signature of the complainant dated 12.12.2014 certified by the concerned Mukhiya of the Panchayat that all the payments have been made to the complainant.

On behalf of the learned counsel for the complainant and the State, it has been submitted that the petitioner is named in the complaint case and Annexure-4 has been obtained forcibly by the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 06 of 2015, T.R. No. 849 of 2015, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sheohar,, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)