

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46465 of 2016

Arising Out of PS.Case No. -2531 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Saiyed Imam S/o Late Mukhtar Ahmad Resident of Village- Mahmadpur
Mubark P.S. Maniyari, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ashish Kumar S/o Ramesh Kumar R/o Village- Susta Madhopur, P.S.
Sadar, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Adv.

For the Opposite Party/s : Mrs. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 30-11-2016 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No. 2531/2014, registered for the offences punishable under Section 420, 406 and other sections of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

The complainant/informant alleged that while he was at his *darwaja* the petitioner and others came and assaulted him and snatched his chain and other articles. It is further alleged that the petitioner had taken money from the complainant for registering a sale deed, but on demand, the petitioner gave a cheque of Rs. 2,00,000/-, but the same was not honoured due to stop-payment.

Learned counsel for the petitioner submits that the complainant alleged that the date of occurrence is 01.07.2014 to 14.09.2014, but the notice is said to have been given on 22.07.2014. The true facts are that the petitioner gave a cheque of Rs. 2,00,000/- to the complainant for executing a sale deed with regard to a piece of land, but the complainant did not execute the sale deed and that is why he gave instruction to his bank not to make payment of the cheque issued by the petitioner in favour of the complainant.

Considering the facts aforesaid and nature of allegation made against the petitioner, 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, 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 Chief Judicial Magistrate, Muzaffarpur in connection with Complaint Case No. 2531/2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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