

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 41262 of 2016

Arising out of P.S. Case No. - 116 Year - 2016 Thana - CHAKIA District - EASTCHAMPARAN (MOTIHARI)

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Baban Prasad @ Baban Prasad Saraf, S/o Ayodhya Prasad, Resident of
Village - Power House Chowk, P.S. Chakia, Distt. - East Champaran
..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar Pandey, Advocate

For the Opposite Party : Mr. Rajkishore Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-10-2016

Heard both sides.

The petitioner apprehends his arrest in Chakia P.S.
Case No. 116 of 2016 registered for the offences punishable under
Sections 420, 406 of the Indian Penal Code and Section 138 of the
Negotiable Instruments Act.

The informant alleged that the marriage of his sister
was to be performed on 7th December, 2015. The informant gave
Rs.6,50,000/- to the petitioner and his son for manufacturing gold
ornaments. Petitioner did not return the money nor gave
ornaments. The son of the petitioner issued a cheque of
Rs.6,50,000/- but the cheque was dishonoured.

The learned counsel for the petitioner submits that
the petitioner never received any money from the informant nor
issued any cheque. The son of the petitioner was always lending

and borrowing money from the informant and he gave cheque to the informant as security of the loan of Rs.6,50,000/- provided by the informant.

Considering the facts that the petitioner did not issue any cheque to the informant, 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 the learned Additional Chief Judicial Magistrate-13th, Motihari, East Champaran in connection with Chakia P.S. Case No. 116 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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