

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5747 of 2016

Arising Out of PS.Case No. -22 Year- 2010 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

- =====
1. Mrs. Kumari Nirmala W/o Abhiranjan Kumar Yadav,
 2. Abhiranjan Kumar Yadav @ Abhiranjan Kumar, S/o Late Thakur Prasad Yadav,

Both above are residents of village - Lakhshmipur, P.S. - Sour Bazar (Patharghat O.P.), District - Saharsa. Presently resident of Madhepura, Ward No. 25, Bhirkhi, Dakshinbari, P.S. - Madhepura, District - Madhepura.

.... Petitioners

Versus

1. The State of Bihar.
2. Akhilesh Kumar, S/o Sri Umesh Prasad Yadav, Resident of Bhirkhi, Ward No. 25, Dakshin Wari, P.O. & P.S. - Madheypura, District - Madheypura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Shankar Choudhary

For the Opposite Party/s : Mr. Nirmal Kumar Sinha (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 13-05-2016 Heard learned counsel for the petitioners and

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Complaint Case No. 22 of 2010 registered for the offences punishable under Section 420 of the Indian Penal Code and Section 138 of the N.I.Act.

It is submitted on behalf of the petitioners that



though, an allegation has been made against them under Section 420 of the Indian Penal Code as well as Section 138 of the N.I. Act, so far as the present petitioners are concerned, neither they accepted any money in their accounts nor they gave job to anyone. The alleged cheques were dishonoured. It is further submitted that the only reason for implicating the petitioners in the present case, is that at one point of time, the petitioners were residing as neighbours of the present complainant and they had some dispute between them with regard to sale / purchase milk as the petitioner No. 1 failed to pay the money to the opposite party who was having a retail business of milk. It is further submitted that the petitioners were not having knowledge of the institution of the present complaint case.

Considering the aforementioned facts and circumstances of the case and that no money had been received in their respective accounts but the money were deposited in the account of one Dhirendra Rai and not these petitioners, let the petitioners, above named, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the each amount to the satisfaction of the learned Judicial

Magistrate, 1st Class, Madhepura in connection with Complaint
Case No. 22 of 2010, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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