

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12509 of 2016

Arising Out of PS.Case No. -3278 Year- 2010 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Shashikant Singh

.... Petitioner/s

Versus

1. State of Bihar,
2. Sarvesh Pathak

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary

For the Opposite Party/s : Mr. Rana Randhir Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 16-03-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 420 and 406 of the Indian Penal Code and section 138 of N.I. Act.

It is alleged that the petitioner took a loan of Rs.49,900/- from the complainant through cheque and Rs.5100/- cash on promise to return the same within two – three months. The petitioner issued cheque of rupees fifty five thousand drawn on ICICI bank for the repayment of loan amount but the same got dishonoured.

It is submitted by the learned counsel for the petitioner that the petitioner is ready to deposit rupees fifty five thousand

before the learned court within a period of one month from today.

Since the processes under sections 82/83 Cr.P.C. have been issued against the petitioner, this court is not inclined to interfere in the matter, however, in view of the present stand of the petitioner, let no coercive steps be taken against the petitioner for six weeks in connection with Complaint Case No. 3278 of 2010 pending in the court of the learned C.J.M., Gopalganj and if the petitioner deposits rupees fifty thousand within one months before the learned court below then the petitioner's prayer for regular bail will be considered by the learned court below.

The said amount will be released in favour of the complainant by the learned court below.

This application stands disposed of with the aforementioned observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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