

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28489 of 2016

Arising Out of PS.Case No. -1359 Year- 2010 Thana -PATNA COMPLAINT CASE District-
PATNA

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Sushil Kumar, S/o Late Shyam Sundar Prasad, Resident of Mohalla-
Maharaj Ghat- Machhar Hatta, P.S.- Khajekalam, Distt.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chaitanya Krishna Son of Sri Krishna Mohan Prasad, resident of Gobind
Mitra Road, P.S.- Pirbahor, District-Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Smita Bharti, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh-I

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Complaint Case No. 1359(C)/2010 registered for
offence under section 406 of the Indian Penal Code and under
section 138 of the N.I. Act.

This case is arising from the complaint case.
Allegation has been made that the petitioner had given two
cheques to the complainant, which were returned by the Bank due
to insufficient balance.

The counsel for the petitioner submits that the
petitioner and the complainant have business relationship and the

cheques were handed over for the security purpose, not for the purposes of getting the money. It has also been submitted that the allegation is of 138 of the N.I. Act.

Looking to facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks, be enlarged on bail on his furnishing bail bond of Rs.10,000/-with two sureties of the like amount each to the satisfaction of Sub Judge-XI, Additional Chief Judicial Magistrate, Patna in connection with Complaint Case No. 1359(C)/2010, subject to the condition as laid down under Section 438 (2) Cr. P.C.

(Shivaji Pandey, J)

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