

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43154 of 2016

Arising Out of PS.Case No. -14 Year- 2016 Thana -PATNA COMPLAINT CASE District- PATNA

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1. Jawahar Lal Bhardwaj S/o Late Banarsi Prasad Singh, resident of Ashok Nagar, Ward No. 36, Begusarai, P.S. Begusarai, Distt. Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sanjay Kumar Sinha Prop M/S Patna Solar System Nutan Maha Lakshmi Complex Near CDA. Office Building P.S. Gandhi Maidan, Dist.- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das

For the Opposite Party/s : Mr. Sri Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-11-2016 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No. 14c/2016, filed for the offences punishable under Sections 420, 406 of the Indian Penal Code and 138 of the Negotiable Instruments Act.

The complainant alleged that the petitioner handed over a cheque to him which was dishonoured.

Learned counsel for the petitioner submits that the petitioner is father of Om Prakash Bhardwaj (accused no.1). The petitioner did not issue any cheque. Om Prakash Bhardwaj issued cheque in favour of the complainant. It is further submitted that the petitioner is not partner of the firm and he did not issue the

cheque.

On the other hand, learned counsel for the complainant as well as learned Additional P.P. submitted that the petitioner is also partner of the firm and he is equally responsible for issuance of the cheque

Considering the facts aforesaid and the fact that the petitioner did not issue any cheque in favour of the complainant, 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 Smt. Sangeeta Rani, Judicial Magistrate 1st Class, Patna in connection with Complaint Case No. 14c/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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