

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41826 of 2016**

Arising Out of PS.Case No. -933 Year- 2012 Thana -PATNA COMPLAINT CASE District-  
PATNA

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1. Deepak Ashok S/o Shri Ashok Kumar Jain R/o Flat No. 404, Om  
Complex, S.P. Verma Road, P.S. Kotwali, P.O. G.P.O., District - Patna

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Amit Verma S/o Shri Sacchidanand Prasad R/o Tikia Toli, Mogalpura,  
P.O. Jhauganj, P.S. Khajekalan, District - Patna

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Awadhesh Kumar, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR  
JHA**

**ORAL ORDER**

4      23-11-2016                      Heard both sides.

The petitioner apprehends his arrest in Complaint Case  
No. 933/2012, registered for the offences punishable under  
Sections 406 and 420 of the Indian Penal Code and Section 138 of  
the Negotiable Instruments Act.

The complainant alleged that petitioner took Rs.  
3,00,000/- from him for getting a piece of land registered in his  
name and the complainant got three post-dated cheques dated  
19.06.2012, 02.07.2012 and 16.07.2012 from the petitioner. The  
cheque dated 19.06.2012 was presented in the bank on 19.06.2012  
itself and the same was dishonoured on 21.06.2012 and the  
complainant got information about the dishonour of cheque on

22.06.2012. The complainant again presented the same cheque in the bank on 25.06.2012 and he got information that the cheque was dishonoured on 27.06.2012, but the complainant gave notice to the petitioner on 25.08.2012 whereas, from the date of knowledge of dishonour of the cheque statutory period of issuance of notice is one month. Similarly with regard to second and third cheque no legal notice was given to the petitioner for re-payment of the amount.

Learned counsel for the complainant did not dispute this fact.

Considering the facts aforesaid, 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 Judicial Magistrate Ist Class, Patna City in connection with Complaint Case No. 933/2012, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

**(Prabhat Kumar Jha, J.)**

Vinita/-

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