

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54665 of 2015**

Arising Out of PS.Case No. -121 Year- 2013 Thana -LALIT NARAYAN UNIVERSITY District-  
DARBHANGA

Prabhakar Kumar Singh son of Sri Chandeshwar Prasad Singh, resident of  
village- Repura Rampur, P.S.- Saraiya, District- Muzaffarpur. At present  
Beledulleh, Nawtoliya, P.S.- Sadar, District- Darbhanga

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner : Mr. Amit Kumar, Advocate.

For the Opposite Party : Mr. Satyavarta Verma (App)

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

7 21-06-2016 Heard both sides.

The petitioner apprehends his arrest in L.N.M.U. P.S.  
Case No. 121 of 2013, registered for the offences punishable  
under Sections 418, 420, 422, 504 and 506 of the Indian Penal  
Code.

The gist of the allegation is that the petitioner issued a  
cheque of Rs. 2,00,000/- for purchasing Gold Finger Machine, but  
the cheque issued by the petitioner was dishonoured due to paucity  
of funds in his account.

Shri A.K. Thakur, learned counsel appearing on behalf  
of the petitioner submits that police during investigation went to  
the bank and the bank officials reported that the cheque was not

encashed because there was direction of stoppage of payment. It is not a case of dishonouring of a cheque. The petitioner and informant were working in partnership firm. The dispute is of civil nature.

On the other hand, learned counsel for the informant as well as the learned APP has submitted that from perusal of the Annexure-A series it would appear that the cheque was issued by the petitioner in his own handwriting.

Considering the facts aforesaid, and the fact that the cheque was dishonoured due to insufficient funds, but it is admitted that the petitioner and the informant working in partnership firm and the same has dissolved, 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 the learned Chief Judicial Magistrate, Darbhanga in L.N.M.U. P.S. Case No. 121 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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