

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6329 of 2016

Arising Out of PS.Case No. -1221 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Mahesh Prasad S/o Late Ram Ratan, resident of Mohalla- Ashok Nagar,
Road No. 14, Kankarbagh, P.S. Kankarbagh, Distt- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Binod Kumar Aged about 42 years, S/o Sri Ganpat Prasad Singh,
Mohalla- 8E/138, Bahadurpur Housing Colony, P.S. Agamkuan, Distt.-
Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar
For the Opposite Party/s : Mr. Krishna Sinha, Advocate
Rajani Kant Charan, Advocate
For the State : Mr. Sunil Pandey, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 13-05-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with Complaint Case No. 1221(c) of 2015 registered
for the offences punishable under Section 420 of the Indian Penal
Code and Section 138 of the Negotiable Instrument Act.

Learned counsel for the petitioner submits that the
cognizance has already been taken under Section 138 of the
Negotiable Instrument Act and the petitioner is being prosecuted
therein.

It is further submitted, that on various dates, the

petitioner has already returned the money to the complainant but the same is being denied by him. It is further submitted that at the time, the panchas were negotiating the matter, the complainant disappeared as he was not willing to give back cheques which were earlier taken from the petitioner.

Considering the nature of allegations made and that the cognizance has been taken only under Section 138 of the Negotiable Instrument Act, let the petitioner, above named, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Complaint Case No. 1221(c) of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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