

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1770 of 2016

Arising Out of PS.Case No. -806 Year- 2013 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

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1. Rajesh Kumar, Son of Jagdish Prasad, resident of Mohalla Raj
Kumarganj, Station Road, P.S. Town, District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar
2. Manish Ranjan, Son of Ramanand Jha, Resident of Mohalla- Laxmi
Sagar, Near Sudha Milk Dairy, P.S. L.N.M.U., District- Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das

For the Opposite Party/s : Mr. M.Rab(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 14-01-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a complaint case
in which process has been directed to be issued after cognizance
being taken for the offences punishable under Section 420 of the
Indian Penal Code and section 138 of the N.I. Act.

The prosecution case is that the complainant claims to
be a taxi driver having intimacy with the petitioner and in course
of business deal the petitioner issued two cheques of rupees four
lacs on 18.3.2013 to the complainant which got bounced. The
complainant claims to have given legal notice to the petitioner
under the N.I. Act on 20.4.2013.

It is submitted by the learned counsel for the petitioner that the complainant used to take care of blind father of the petitioner and from there two cheques were misplaced for which the petitioner's father filed informatory petition on 17.4.2013, thereafter the present complaint was filed on 30.5.2013 though notice transmitted by the complainant was never received by the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the informatory petition being filed by the petitioner side at earlier point of time, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Darbhanga, in connection with Complaint Case No. 806 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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