

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52858 of 2017

Arising Out of PS.Case No. -4288 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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Mukesh Ranjan son of Sri Binod Kumar Sinha, resident of Mohalla-
M.I.G.-190, P.S.- Kankarbagh, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Shyam Nandan Prasad Singh son of Sri Anand Bhushan Singh, resident
of Mohalla- Ranighat, P.O.- Mahendru, P.S.- Sultanganj, District- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the State : Mr. Khurshid Anwar, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**
ORAL ORDER

3 19-12-2017 Heard learned counsel for the petitioner and learned
counsel for the Complainant.

The petitioner seeks pre-arrest bail in connection with
Complaint Case No.4288(C) of 2013 registered under Sections
420 of the Indian Penal Code (for short 'I.P.C.') and Section 138
of the Negotiable Instruments Act (for short 'N.I. Act').

It is submitted by the learned counsel for the petitioner
that even on admitted fact the ingredients of the offence
punishable under Section 420 of the I.P.C. would not be attracted.
He submitted that so far as offence under Section 138 of the N.I.
Act is concerned , the same is bailable in nature.



On the other hand, learned counsel for the complainant submitted that the petitioner having taken rupees two lacs forty five thousand from the complainant issued five cheques which got dishonoured on their presentation before the bank pursuant to which the complaint has been filed and the allegation made in complaint would certainly attract the ingredients of the offence punishable under Sections 420 of the I.P.C. and 138 of the N.I.Act.

Having heard learned counsel for the parties, taking into consideration the nature of allegation, in the event of arrest or surrender before the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna in connection with Complaint Case No.4288(C) of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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