

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27526 of 2017

Arising Out of PS.Case No. -2523 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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Shivam S/o Sri Pradeep Kumar Sinha R/ Flat No.- B-201,
Kashyap Suman Palace, R.M.S. Colony, P.S.- Kankarbagh,
District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Deepak Srivastava, S/o Sri Tarni Kumar Srivastva R/o- N.A.-
10/4, New Alkapuri P.S.- Gardanibagh, District- Patna.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nikhil Kr. Agarwal, Advocate
Mr. Akash Keshav, Advocate
For the Complainant : Mr. S.P. Singh, Sr. Advocate
For the Opposite Party/s : Mr. Sri Ram Sumiran Roy, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 01-07-2017 Heard learned counsel for the petitioner,

learned counsel for the complainant-opposite party no. 2

and the learned A.P.P. for the State.

Petitioner, in the present case, is seeking

regular bail in connection with Complaint Case No.

2523(c) of 2016 registered for the offence punishable

under Sections 138 of N.I. Act.

Learned counsel for the petitioner submits

that the whole allegation against this petitioner is that he

had been a signatory as witness to the agreement

executed between his father and the complainant. So far



as issuance of cheque is concerned, admittedly the father of this petitioner had issued the cheque, it stood dishonored on presentation leading to filing of the present complaint case. The learned Magistrate has taken cognizance of the offences under Sections 420, 379, 323 of the Indian Penal Code read with Section 138 of the N.I. Act vide order dated 17.11.2016 and issued summons against the present petitioner as well as his father. The petitioner, however, was arrested later on.

Learned counsel for the petitioner further submits that there is no other allegation, save and except one hereinabove.

Learned counsel for the complainant even though attempted to oppose the prayer for bail of the petitioner but could not deny that save and except that the allegation of signing as a witness there is nothing more against the present petitioner.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the



learned Additional Chief Judicial Magistrate, Patna, in connection with Complaint Case No. 2523(c) of 2016, subject to conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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