

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53053 of 2016

Arising Out of PS.Case No. -421 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

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1. Madan Kumar @ Madan Prasad Kushwaha, son of Baidnath Bhagat,
resident of Village- Chako Chhapra, P.S.- Saraiya, District- Muzaffarpur
.... Petitioner

Versus

1. The State of Bihar
2. Amrendra Kumar, son of Late Mahajan Mahto, resident of Mohalla-
Gandak Colony, Sherpur (House No. D/15), P.S.- Sadar, District-
Muzaffarpur
.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Onkar Nath, Adv.
For the State : Mrs. Asha Devi, APP 85
For the informant : Mr. Manoj Kumar Manoj, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-02-2017 Heard the learned counsel for the petitioner, the
informant and the State.

This is a petition for grant of anticipatory bail for
offence under Sections 406 and 420 of the Indian Penal Code and
138(b) of the Negotiable Instrument Act.

The informant had advanced Rs.2,40,000/- to the
petitioner as loan and the cheque issued by the petitioner
bounced.

Submission of the petitioner is that there is no
material to substantiate dishonest intention at the time of receiving
the loan amount. More over, each and every dishonour of cheque
does not attract the ingredient of dishonest intention for cheating.

Considering the aforesaid fact, the petitioner, above
named, in the event of his arrest or surrender, within four weeks
from the date of receipt of this order, be released on anticipatory
bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand)
with two sureties of the like amount each in connection with



Ahiyapur P.S. Case No. 421 of 2016 to the satisfaction of the **Chief Judicial Magistrate, Muzaffarpur**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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