

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47115 of 2016

Arising Out of PS.Case No. -1414 Year- 2015 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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Vijay Singh, Son of Late Ram Swaroop Singh, resident of Village-
Dhamaul , Police Station- Hisua in the District of Nawada.

.... Petitioner

Versus

1. State of Bihar,
2. Shailendra Kumar Hinanshu, Son of Late Lakshminarayan Sudhanshu,
Resident of Village- Amawan, P.O.- Banshgopal, Police Station- Rajauli
in the District of Nawada.

.... Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar,
For the Opposite Party/s	:	Mr. Suraj Narain Prasad Sinha,
For the State	:	Mr. Mushtaque Alam, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

5 02-02-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No. 1414 of 2015, registered under Sections 420 of
the Indian Penal Code and Section 138 of N.I. Act.

The accusation is that the petitioner took friendly loan of
Rs. 3,00,000/- to the complainant on 26.06.2015 with assurance to
return the same within a month, but the said money was not returned to
the complainant. On several requests, lastly on 08.09.2015, petitioner
issued a cheque of Rs. Three lakh, which was dishonoured on
presentation before the SBI Rajauli Branch, Nawada.

Learned counsel for the petitioner submits that, in fact,



the cheque book, pass-book and ATM of the petitioner missed regarding which he informed to Police Station Hisua on 15.11.2014 and he also gave an application to the SBI, Hisua Branch on the same day about missing of the Cheque book, Pass-book and ATM regarding his saving Account No. 31408815183. The complainant and his men used the said cheques implicating the petitioner for dishonouring the cheque.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 the Addl. Chief Judicial Magistrate-III, Nawada in connection with Complaint Case No. 1414 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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