

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20479 of 2017

Arising Out of PS.Case No. -344 Year- 2016 Thana -CIVIL LINE District- GAYA

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1. Raju Kumar Gupta @ Gyanchand , son of Sudama Sao @ Sudama Gupta,
 2. Rahul Kuamr Gupta, son of Sudama Sao @ Sudama
 3. Pankaj Kumar Gupta, son of Sudama Sao @ Sudama
- All are residents of Mohalla- Shamir Takiya, Durga Asthan, P.S.- Rampur, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 12-06-2017 Heard learned counsels for the petitioners and the State.

The petitioners apprehend their arrest in connection with Civil Lines P. S. Case No. 344 of 2016 instituted under Sections 354, 420, 406, 504 and 506/34 of the Indian Penal Code.

The allegation, in brief, is that the informant's husband and the petitioners were running a business in partnership. The informant's husband, while he was ill, wanted to dissolve the partnership business, after settlement of all accounts accordingly the petitioner no. 1 issued a cheque of Rs. 15,08,000/- in the name of her husband on 27.01.2016. In the meanwhile, the informant's husband expired and the cheque got bounced when



presented before the bank for clearing it on 04.03.2016. When she contacted the petitioners then one unregistered agreement deed was executed and the aforesaid amount got reduced to Rs. 13,00,000/- thereafter only Rs. 4,00,000/- was paid to the informant and the remaining amount is still due.

Learned counsel for the petitioners submits that alleged so-called agreement is unregistered document moreover it is a forged document, in any case, it is a case of civil dispute, and earlier no case under Section 138 of the N.I.Act was filed against these petitioners and they have got no criminal antecedent.

Learned counsel for the informant submits that the informant is a widow and has been cheated by the petitioners and only Rs. 4,00,000/- was given to her and remaining amount is still not paid by them.

Having considered the aforesaid facts and circumstances as the dispute primarily appears civil in nature, so the petitioners, namely, Raju Kumar Gupta @ Gyanchand, Rahul Kumar Gupta and Pankaj Kumar Gupta, in the event of arrest or surrender before the court below within four weeks from today, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in



connection with Civil Lines P.S.Case No. 344 of 2016; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

Sujit/-

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