

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19849 of 2017

Arising Out of PS.Case No. -258 Year- 2016 Thana -SARAIYA District- MUZAFFARPUR

Sanjay Kumar Singh, Son of Rajendra Kumar Singh, Resident of Village-
Panchbhirwa, P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

4 02-08-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Saraiya P.S. Case No. 258 of 2016, registered under Sections 403,
408, 420, 465, 467, 468, 471, 379 and 506 of the Indian Penal
Code.

The accusation is that the informant being the
contractor engaged to one Harendra Prasad Singh and handed over
the blank cheques to Harendra Prasad Singh for withdrawing the
money to pay to wages of the labourers. Thereafter, Harendra
Prasad Singh informed to the informant about missing of the
cheques and the informant had also given information to the police
station about the said facts. Later on, informant came to know that
Harendra Prasad Singh and this petitioner had submitted the
aforesaid cheques in the Bank for encashment, which was



dishonoured. The informant further came to know that the cheque was not missed but the same was cancelled by Harendra Prasad Singh.

Learned counsel for the petitioner submits that, in fact, informant was the contractor but due to crisis of the money he asked to Harendra Prasad Singh to invest the money with the agreement that the benefit will be divided. Later on, Harendra Prasad Singh and this petitioner invested the money in the contract work but the informant did not deposit the cheques as received in the joint account and issued cheque to the petitioner to withdraw their share in the benefit, which was dishonoured but only to give undue pressure the present case has been lodged with false allegation.

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 six 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 S.D.J.M. (West), Muzaffarpur, in connection with Saraiya P.S. Case No. 258 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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