

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29315 of 2017

Arising Out of PS.Case No. -486 Year- 2012 Thana -BEGUSARAI TOWN District- BEGUSARAI

=====

1. Ram Sogarath Mahton @ Ram Swarath Mahton Son of Ram Sharan Mahto Resident of Village - Gopalpur, P.S. - Cheria Bariyarpur, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 19-08-2017 Heard both sides.

The petitioner apprehends his arrest in Begusarai Town P.S. case No. 486 of 2012 for the offences punishable under Section 379 and other Sections of the Indian Penal Code and under Section 138 of the N. I. Act.

The gist of the allegation is that the petitioner purchased tyres worth Rs. 4,61,000/- and handed over a cheque of Central Bank of India but when the cheque was presented the same was dishonoured on account of insufficiency of fund.

The learned counsel for the petitioner submits that there is a procedure to file complaint for the offence allegedly committed under Section 138 of the N. I. Act. Section 142 of the



N. I. Act prescribes the procedure for filing complaint petition but the informant did not file any complaint and lodge the FIR. It is further submitted that petitioner was granted benefit of Section 41 of the Cr. P. C.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Begusarai in connection with Begusarai Town P.S. case No. 486 of 2012, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

