

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31488 of 2018

Arising Out of PS.Case No. -984 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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Tripurari Kumar @ Tripurari Jee, aged about 35 Years, S/o Baleshwar
Sharma, R/o Vill.- Rustampur, P.S.- Hulashganj, District- Jehanabad.

.... Petitioner

Versus

1. The State of Bihar.
2. Sunil Kumar Mehata, aged about 45 Years S/o Late Kishori Mehata, R/o
Dadarmandi, P.S.- Alamjang, P.O.- Guljarbagh, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Gyan Prakash, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER**

3 22-06-2018 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. 984 of 2016 in which cognizance has been taken
for the offences punishable under Section 420 of the Indian Penal Code
and Section 138 of N.I. Act.

The complainant claims that petitioner took loan of
rupees four lacs on 30.09.2016 and gave two cheques of rupees two lacs
each in security but when the aforesaid cheques were presented before
the concerned Bank, the said cheques became dishonoured.

Submission on behalf of the petitioner is that the
complainant assured the petitioner to provide job and in security took



two cheques from him and when complainant failed to provide job to the petitioner, the petitioner demanded his cheques but the complainant refused to give the above stated cheques and lodged this false case against the petitioner. He further submits that petitioner has also filed Complaint Case No. 905 of 2017 against the complainant. To fortify his above stated contention, he drew my attention towards page-18 of the petition and submits that statement of Bank goes to show that complainant presented the cheques before the concerned Bank on 03.10.2016 i.e. within four days of giving of so-called loans.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Patna City, Patna in Complaint Case No. 984 of 2016 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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