

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34096 of 2018

Arising Out of PS. Case No.-2 Year-2018 Thana- GAYA MUFFSIL District- Gaya

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Pintu Kumar S/o Raj Nandan Pandit, R/o Vill.- Siddhartha Puri Colony, P.S.-
Mufassil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 26-06-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner, already in custody, seeks bail in connection
with Mufassil P.S. Case No.02 of 2018 registered under Sections
406, 420 and 506 of the Indian Penal Code as well as under
Section 138 of the N.I. Act.

Allegation in brief is that friendly loan of Rs.11 lakhs
was given to the petitioner by the informant for running a
business on promise to return the said amount within a certain
period of time and after lapse of it, the money was not returned
and on persuasion four cheques were issued but two cheques of
Rs.3 lakhs each got bounced.

Learned counsel for the petitioner submits that both
sides were running the business of mobile shop in partnership



and petitioner has given those cheques as security and under Section 138 of the N.I. Act only complaint is entertainable and in the present case, FIR was instituted; whereas the learned counsel for the informant submits that there was an agreement on Non-Judicial Stamp regarding taking of loan.

Having considered the aforesaid facts and circumstances and dispute predominantly civil in nature, so petitioner Pintu Kumar is directed to be released 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 CJM, Gaya in connection with Mufassil PS Case No.02 of 2018.

(Arun Kumar, J)

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