

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17915 of 2018

Arising Out of PS.Case No. -2323 Year- 2016 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Sachin Kumar S/o Jitendra Mishra, R/o Village- Madhopur, P.S.- Moro,
District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ashok Kumar Yadav, Son of not known. R/o Mohalla- Krishna Toli,
P.S.- Brahampura, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 06-04-2018

Heard both sides.

The petitioner apprehends his arrest in Complaint case No. 2323 of 2016 for the offences allegedly committed by the petitioner under Section 406, 420 of the Indian Penal Code and under Section 138 of N. I. Act.

The gist of the allegation is that complainant advanced Rs. three lacs to the petitioner for doing business. The petitioner is said to have issued a cheque bearing No. 356808 of Rs. three lacs but the cheque was returned on account of over-writing.

The learned counsel for the petitioner submits that



the cheque was not returned on account of non availability of fund. The petitioner does business in partnership with complainant and the complainant stealthily used the cheque of the petitioner.

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-14, Muzaffarpur in connection with Complaint case No. 2323 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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