

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13521 of 2018

Arising Out of PS.Case No. -263 Year- 2016 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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1. Shrawan Kumar S/o Late Basudev Singh, R/o Village- Lakhawar P.S.-
Ghosi, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Upendra Kumar S/o Vishwanath Prasad, R/o Village- Vishunpur, P.S.-
Ghoshi, District- Jehanabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jain

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-04-2018 The petitioner is apprehending his arrest in connection
with Complaint Case No. 263 of 2016, registered for offences
punishable under Sections 420 and 406 of the Indian Penal Code
and Section 138 of the Negotiable Instrument Act.

Prosecution case is that the complainant is alleged to be
the partner of the rice mill of the co-accused, Ajay Singh, who
issued Cheque of Rs. 8 lakhs in favour of the complainant, which
was dishonoured by the Bank.

It has been submitted on behalf of the petitioner that from
the complaint petition itself it will appear that the petitioner has
not issued the cheque rather it was Ajay Singh, who issued the
cheque, which was dishonoured by the Bank and petitioner has



nothing to do with the allegation.

Heard learned A.P.P. also as well as learned counsel for the complainant. Learned counsel for the complainant fairly acceded that the petitioner has not issued the cheque in question.

Having heard both sides, in view of the above facts, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Jehanabad in connection with Complaint Case No. 263 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without



showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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