

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5171 of 2018

Arising Out of PS.Case No. -1008 Year- 2012 Thana -DARBHANGA COMPLAINT CASE
District- DARBHANGA

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1. Md. Taqui Ahmad @ Motka Munna @ Md. Taqui, S/o Md. Zaki Ahmad,
Residence of Vill/Muhalla- Modampur, P.S.- Bahadurpur, Distt-
Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Binay Kumar, S/o Dinesh Mishra, Resident of Vill- Mathurapur P.S.-
Kalyanpur, Dist- Samastipur. at present in the house of Divakant Jha,
Mohalla- Vidyapati Nagar, Ward No.48, P.S.- Laheriyasarai, Distt-
Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 02-02-2018 Heard both sides.

The petitioner apprehends his arrest in connection with
Complaint Case C.R.No.-1008/2012 registered under Section 138
of the N.I. Act and Section 420, 120B, 323, 406, 467, 468, 469 of
the Indian Penal Code.

The learned counsel for the petitioner submits that on the
basis of the complaint, filed by the complainant, the learned
Judicial Magistrate after enquiry found prima facie case only
under Section 138 of the N.I. Act against Md. Rizwan but the
complainant filed revision and the revisional Court set aside the



order and remitted the case to the judicial Magistrate for further enquiry. After further enquiry, the learned Judicial Magistrate found prima facie case under Section 138 of the N.I. Act and 420 and others Sections of IPC against all the accused persons naming in complaint petition. From perusal of the complaint petition, it appears that complainant made allegation against Md. Rizwan and no specific allegation is made against 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 Chief Judicial Magistrate, Darbhanga in connection with Complaint Case C.R.No.-1008/2012, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Sanjeev/-

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