

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24631 of 2018

Arising Out of PS. Case No.-1375 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Sanjay Motani, Son of Anjani Motani, R/o Mohalla Ujjain Tola, P.S. Bettiah
Town, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ram Vinay Sah, aged about 30 years, Son of Nandlal Sah, resident of Village-
Hira Pakad, P.S. Manuapul, District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary
For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-04-2018 Heard the learned counsel for the petitioner
and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 1375(C) of 2016 instituted for the offences under Sections 420, 467, 468 and 471 of the Indian Penal Code.

The petitioner is the proprietor of M/s Auto Agency at Bettiah which is engaged in selling tractors of Swaraj brand. The allegation against the petitioner is of having misused the bank account which was opened for the purposes of obtaining loan for the purchase of tractors.

Learned counsel for the petitioner however has submitted that an absolutely false complaint has been



lodged against him and other accused persons in retaliation to the earlier FIR lodged by the petitioner against the opposite party no. 2. The aforesaid FIR viz. Bettiah Town P.S. Case No. 413 of 2016 under Sections 406 and 420 of the Indian Penal Code and Section 138 of the Negotiable Instrument Act has been lodged with the allegation that the loan which was taken by the opposite party no. 2 for the purchase of tractor was not returned and the cheque which was issued towards paying of the debt was dishonoured.

Considering the nature of allegation against the petitioner and the background facts, the petitioner above named is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No. 1375(C) of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

Krishna/-
Rahul Mishra

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