

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50271 of 2018

Arising Out of PS. Case No.-291 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

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1. Pushpa Devi, W/o Chun Chun Prasad.
 2. Chun Chun Prasad S/o Sri Suresh Prasad.
- Both R/o Vill.- Sarsar, P.S.- Siwan Muffasil, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Advocate.

For the Opposite Party/s : Mr. Kanhaiya Kishore, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Siwan Muffasil P.S. Case No.291 of 2018 registered under Sections 406, 409, 420, 467, 504 and 120(B) of the Indian Penal Code.

The accusation is that the petitioner no.1 being the Sarpanch of Gram Panchayat Raj Sarsar issued a cheque of Rs.17000/- in the name of the informant Jai Narayan Singh for his remuneration but the said cheque was dishonoured by the Bank. Thereafter, the informant asked the petitioner no.1 to issue another cheque but the cheque was not issued and the remuneration was not paid to the informant.



Learned counsel for the petitioners submits that there is joint account in the name of the petitioner no.1 and Up-Sarpanch in the Bihar Gramin Bank, Branch-Amlori, District-Siwan. On the request of the informant, the petitioner no.1 issued the cheque by putting her signature for remuneration of the informant on the assurance of the informant that he would obtain the signature of the Up-Sarpanch but without obtaining the signature of the Up-Sarpanch, the cheque was presented by the informant in the Bank, which was dishonoured because the drawer's signature was not as per mandate. In fact, when the cheque was returned to the informant, he did not approach the petitioner no.1 or Up-Sarpanch for issuing another cheque. Further submission is that the petitioner no.2 is the husband of the petitioner no.1 against whom there is only allegation that he had handed over the cheque to the informant. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate,



Siwan, in connection with Siwan Muffasil P.S. Case No.291 of
2018, subject to the conditions laid down under Section 438(2)
Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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