

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15269 of 2018

Arising Out of PS. Case No.-237 Year-2017 Thana- JAHANABAD District- Jehanabad

Munindra Kumar @ Munna S/o Ramashish Sharma, R/o Arpana Bank Colony, Mohalla- Ramjaipal Nagar, P.S.- Rupaspur, District- Patna, at present Deoriya Court Area, P.S and District- Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajesh Kumar, Adv.

For the Opposite Party : Smt. Anita Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

9 13-09-2018 Heard learned counsel for petitioner, learned counsel for informant and learned counsel for the State.

Petitioner is apprehending his arrest in connection with Jehanabad P.S. Case No. 237 of 2017 for the offences registered under Sections 406, 420, 504 and 506/34 of the Indian Penal Code and under Section 138 of Negotiable Instrument Act.

Informant has stated in his written complaint that he has friendly relation with petitioner and on that basis he started business in partnership with petitioner in construction work of Kamini Apartment and later on also started transport service in partnership with the petitioner at Aurangabad and all disputes pertains to business transactions and no case of fraudulent



intention cheating or Criminal Breach of Trust is made out. Petitioner gave a cheque of Rs 45,00,000/- to the informant which has been dishonoured due to insufficient balance in the account of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. After closing business he returned all the money thereafter informant with ulterior motive misused a cheque which was given as a security and F.I.R. under Section 138 of N.I. Act is not permissible. He has no criminal antecedent.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case No. 237 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

Rajiv/manoj

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