

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33672 of 2018

Arising Out of PS. Case No.-57 Year-2018 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Md. Izhar S/o Late Rahmatullah , Proprietor Kishan Tyre Resoil and Kishan Tyre House Madarsa Road (Sarai Road) P.S./Aurangabad (Town), District- Aurangabad.

... .. Petitioner

Versus

1. The State of Bihar.
2. Vinod Kumar S/o Dasu Sao, R/o Vill.- Shahganj, P.S.- Aurangabad (T), District- Aurangabad, Bihar.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Shakil Ahmad Khan, Adv.
For the Opposite Parties : Mr. R.N. Ray, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 06-09-2018 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner is apprehending his arrest in connection with Complaint Case No. 57 of 2018 for the offences registered under Sections 406 and 420 of the Indian Penal Code and under Section 138 of N.I. Act.

Allegation against the petitioner is that he has taken friendly loan of Rs. 10,00,000/- for the purpose of business on 15.01.2016 and he has not returned the said amount within time. It has been further submitted that petitioner gave a cheque of Rs. 10,00,000/- to the complainant which was dishonored due to insufficient amount in the account of petitioner which is an



offence under Section 138 of N.I. Act which is bailable .

Informant in his complaint has stated that he had provided a friendly loan as such no case of Criminal Breach of Trust or fraudulent intention is made out. It has been further stated that informant has somehow obtained the cheque of petitioner and misused it. Informant has filed similar case against 10 persons with similar allegation.

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 A.C.J.M. II, Aurangabad in connection with Complaint Case No. 57 of 2018, 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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