

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74662 of 2018

Arising Out of PS. Case No.-5388 Year-2016 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Ashutosh Kumar Pandey, Son of Shashikant Pandey, Resident of Village-
Harsiddhi, P.S.- Harsidhi, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Amrendra Kumar Shrivastava, Son of Late Bhagwati Prasad Shrivastava,
Resident of Village- Kharouni, P.S.- Mirganj, District- Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-12-2018 Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No.5388 of 2016 registered under Sections 406, 419 of the
Indian Penal Code and Section 138 of N.I.Act.

The complainant alleged that the petitioner borrowed
money for his personal necessity with assurance to return the
same within six months but the petitioner did not return the
money and issued cheques. The cheques were also bounced due
to non-availability of fund in the account of the petitioner.

The learned counsel for the petitioner submits that
entire allegation is false and concocted. The petitioner lodged
Harsidhi P.S. Case No.118 of 2016 against the complainant



alleging therein that the complainant being an agent of a finance company approached the petitioner to provide loan and obtained blank cheques but later on, when the petitioner filed Harsidhi P.S. Case No.118 of 2016 for committing fraud against the complainant, complainant filed this complaint case.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. XVI, Gopalganj in connection with Complaint Case No.5388 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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