

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2564 of 2019

Arising Out of PS. Case No.-782 Year-2016 Thana- COMPLAINT CASE District- Jamui

Gautam Kumar, Son of Late Budhinath Singh, Proprietor Sanjay Shiksha
Mandir, Jamui Near Registrar Office, Jamui, PS Jamui, District Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mithilesh Kumar Singh, Son of Late Mauleshri Singh resident of village Malaypur (Tola Nagdewa), P.S.- Malaypur, District Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-01-2019 Heard both sides.

Petitioner apprehends his arrest in Complaint Case No.782C of 2016 for the offences allegedly committed by the petitioner under Section 138 of the N.I. Act and under Section 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the complainant made allegation that the petitioner borrowed Rs.8,35,000/- and in lieu thereof issued cheques of Rs.3,10,000/- and Rs.2,15,000/- but both the cheques were dishonoured.

Learned counsel for the petitioner submits that in fact the petitioner returned the entire amount but later on the complainant who had taken cheques as security presented the



cheques without informing the complainant. The petitioner and complainant are contractor. They are on lending and borrowing terms.

Considering the facts aforesaid and nature of allegation made against the petitioner, let 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 this order be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Jamui in connection with Complaint Case No.782C of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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