

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11608 of 2019

Arising Out of Case No.-1128 Year-2017 PATNA COMPLAINT CASE District- Patna

SHEKHAR MISTRI @ TEJU MISTRI @ CHANDRA SHEKHAR PRASAD
@ CHANDRA SHEKHAR MISTRI Son of Late Doman Mistri Resident of
Village and P.O.- Pondil, P.S.- Kurtha, District - Arwal

... .. Petitioner/s

Versus

1. State of Bihar and Anr Bihar
2. Sunil Mistri Son of Sri Indradev Mistri Resident of Village and P.O.- Ker,
P.S. - Konch, District - Gaya, presently reside at C/o. Harinandan Rai
Bighrapur, Bus Stand, P.S. Jakkanpur, District - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shailendra Kumar Singh
For the Opposite Party/s :	Mr.Nawal Kishore Prasad
	Mr. Rikesh Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-02-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint case No. 1128(c) of 2017 registered under Section 420 of the Indian Penal Code and u/s 138 of N.I. Act.

The complainant, in sum and substance, made allegation that petitioner and his son Rajesh Kumar came and persuaded him to invest money in Guideline Mutual Benefit Ltd. Company. The complainant invested Rs. 1000/- per month but after maturity the complainant got no money. When the complainant demanded money Rajesh Kumar, son of the petitioner, is said to have issued a cheque of Rs. 21,000/- but the



same was dis-honoured.

The learned counsel for the petitioner submits that petitioner is father of Rajesh Kumar and he is not the agent of the company. The petitioner did not receive any amount from the complainant nor assured him to make payment. It is further submitted that from perusal of Annexure-2, it appears that the complainant endorsed that he already received Rs. 21,000/- on 25.03.2017.

The learned counsel for the complainant submits that he has not verified Annexure-2 but according to his instruction the complainant did not receive any money from the Rajesh Kumar, son of the petitioner.

It is evident from the fact that petitioner is father of Rajesh Kumar, who persuaded the complainant to invest money in the Company, and Rajesh Kumar issued cheque to the complainant but the cheque was dis-honoured. The petitioner has not played any role.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to 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 Additional Chief Judicial Magistrate-XI, Patna in connection with Complaint case No. 1128(c) of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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