

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26776 of 2019

Arising Out of PS. Case No.-4174 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

-
1. Bangali Sharma, Son of Nandan Mistri, Resident of Mohalla - Krishi Nagar, 90 feet Road, P.O. Ashiana Nagar, P.S.- Shastri Nagar, Distt - Patna.
 2. Dhruv Kumar, Son of Bangali Sharma, Resident of Mohalla - Krishi Nagar, 90 feet Road, P.O. Ashiana Nagar, P.S.- Shastri Nagar, Distt - Patna.
 3. Lala Jamadar @ Lala Jamedar, Son of late Baldeo Jamadar, Resident of Mohalla - Krishi Nagar, 90 feet Road, P.O. Ashiana Nagar, P.S.- Shastri Nagar, Distt - Patna.
 4. Mahendra Kumar, Son of Nandan Mistri, Resident of Mohalla - Indrapuri Road No, 2, P.S.- Rajeev Nagar, Distt - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar, Son of Sri Suresh Prasad, Resident of Mohalla -I.G.I.M.S. Campus Quater No. B.5/10, P.O. B.V. Collage, Shekhpura, P.S.- Shastri Nagar, Distt - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 24-04-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 4174(C) of 2018 registered under Sections 323, 504 and 379 of the Indian Penal Code.

The accusation is that complainant, Manoj Kumar, took the loan of Rs.20,000/- from Bangali Sharma (petitioner no.1) on assurance to return the same within six months and in



lieu of taking money, he handed over blank cheque of SBI, but he could not return the money. Later on, he paid Rs.1,00,000/- including Rs.80,000/- interest and made demand to return the blank cheque but the same was not returned showing that the cheque is old and not in tress. On 01.07.2018, when the complainant went at the house of petitioner no. 1 and made request to return the aforesaid cheque then he was abused and assaulted by the son of petitioner no1. On 12.09.2018, when he further asked to petitioner no. 1 to return the blank cheque then petitioners started to assault and snatched cash of Rs.20,000/- from his pocket and also snatched the gold chain from his neck.

Learned counsel for the petitioner submits that, in fact, complainant took loan of Rs.20,000/- and handed over the blank cheque but the said amount was not returned and when the petitioner place the cheque for encasement after stipulated time then cheque was dishonored. When the pressure was being made to return the money then this false case has been lodged only to grab the aforesaid money Rs.,20,000/- which was taken by the complainant as loan.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below



within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the J.M.Ist Class, Patna, in connection with Complaint Case No. 4174(C) of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

