

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31009 of 2019

Arising Out of Case No.-162 Year-2018 DARBHANGA COMPLAINT CASE District-
Darbhanga

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NARAYAN CHOUDHARY @ NARAYAN KUMAR CHOUDHARY S/o
Late Dukh Mochan Choudhary Resident of Village- Makarampur, P.S.-
Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Hem Nath Choudhary S/o Dinesh Choudhary Resident of Village-
Makarampur, P.S.- Bahera, District- Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad
For the Opposite Party/s : Mr.Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 10-05-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint case bearing C.R. No. 162 of 2018 for the offences allegedly committed by the petitioner under Section 420, 406 of the IPC and u/s 138, 139 of N.I. Act.

The complainant alleged that petitioner had taken loan of Rs. 2,25,000/- from him and issued two cheques one of Rs. one lac and another of Rs. 1,25,000/- of Gramin Bank, Khata No. 46, dated 28.01.2018. When the complainant presented the cheques on 18.04.2018, the cheques were returned with endorsement that Khata No. 46 is closed. The petitioner holds Khata No. 56 in the Gramin Bank.

The learned counsel for the petitioner submits that in fact the petitioner had issued blank cheques in the year 2008 when Khata No. 46 was operative in the bank as security. The



petitioner already returned the amount of loan but taking advantage of this fact that a blank cheque was with the complainant as security the complainant presented the cheque after inserting the dates and amount in the cheque. The dates and amounts filled in the cheques are not in the handwriting of the petitioner.

Considering the facts aforesaid and nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest/ surrender before the 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 his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub divisional Judicial Magistrate, Benipur, Darbhanga in connection with Complaint case bearing C.R. No. 162 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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