

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29666 of 2019

Arising Out of PS. Case No.-130 Year-2017 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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Meghnath Sahani @ Raju Sahani @ Medhnath Sahni(Male), aged about 38 years, Son of Late Jagdish Sahani, Resident of Village - Vijay Chhapra, P.S.- Ahiyapur, Dist.- Muzaffarpur.

... .. Petitioner

Versus

1. The State of Bihar
2. Arun Kumar (Male), aged about 35 years, Son of Late Ash Narayan Ram Resident of Village - Jhapahan Dih, P.S.- Ahiyapur, District - Muzaffarpur.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr.Diwakar Prasad Karn, Advocate
For the State	:	Mr.Ajay Kumar, app
For Opp. Party No. 2	:	None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 31-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 406, and 420 of the Indian Penal Code and Section 138 of the Negotiable Instrument Act registered in connection with Complaint Case No. 130 of 2017.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of financial transaction between the parties which is purely of civil nature. It is submitted that against the allegation of non-payment of Rs. 3,77,000/- by the petitioner, as a matter of fact the complainant has taken the amount of Rs. 5,50,000/- from the petitioner on different dates. The petitioner claims clean antecedents.

4. Despite valid service of notice upon opposite party no. 2 who personally received the same, none appears on his behalf when the matter is called.



5. Having regard to the entirety of the facts and circumstances of the case, the provisional bail granted to the petitioner by order dated 10.05.2019 by this Court in connection with Complaint Case No. 130 of 2017 pending in the Court of learned Chief Judicial Magistrate, Muzaffarpur is hereby confirmed.

(Vikash Jain, J)

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