

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36335 of 2019

Arising Out of PS. Case No.-209 Year-2018 Thana- MAHESI District- East Champaran

THAKUR VIKAS VALLABH SINGH @ THAKUR VISHAL VALLABH
SINGH @ BHOLU, Son of Shri Rama Shankar Singh @ Krishna Singh,
Resident of Village- Damodarpur, P.S.- Mehsi, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 23-07-2019

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Mehsi P.S. Case No.209 of 2018** instituted for the offence under Section(s) 406, 420/34 Indian Penal Code and Section 138 of the Negotiable Instrument Act.

Counsel for the petitioner submits that Petitioner is in custody since 23.04.2019. Petitioner has business dealing with the informant. The informant has civil remedy.

It is alleged in the written report that petitioner issued seven cheques for rupees thirteen lacs, but when the same was presented in the bank, it was not cleared.

Counsel for the petitioner submits that instant case has



been registered under Section 138 of the Negotiable Instruments Act along with Section 406 and 420 Indian Penal Code on the basis of First Information Report, which is not maintainable. The complaint is maintainable for offence under Section 138 of the Negotiable Instruments Act.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released 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 **Chief Judicial Magistrate, East Champaran, Motihari**, in connection with **Mehsi P.S. Case No.209 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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