

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45595 of 2019

Arising Out of PS. Case No.-865 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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SANJAY KUMAR, son of Sri Deolagan Singh, R/O Village- Gardanibagh,
Kachchi Talav, P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Satish Kumar, S/o Umesh Lal Sinha, R/o Village- Dhannu Chak, P.O and
P.S.- Parsa Bazar, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yogesh Kumar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-07-2019 The petitioner apprehends his arrest in connection with

Complaint Case No. 865(C) of 2018 registered under Section

420 of the Indian Penal Code and 138 of the N.I.Act.

Allegation against the petitioner is that petitioner issued

three cheques total amounting to Rs. 8,50,000/- in favour of the

complaint but were got dishonored.

Learned counsel appearing on behalf of the petitioner

submits that upon perusal of the complaint, no offence under

Section 420 of the Indian Penal Code is made out rather at best

offence under Section 138 of N.I.Act can be said to be made out

against the petitioner. He further submits that a complaint was

also filed by the complainant against the petitioner, which is



Annexure-2, bearing Complaint Case No. 900(C) of 2018 under Sections 406 and 420 of the Indian Penal Code alleging that the petitioner has taken Rs. 15,00,000/-, but he did not return it.

After having heard learned counsel for the parties and taking into consideration the fact that cheques, allegedly given by the petitioner, have got bounced and Section 138 of N.I.Act is bailable in nature, accordingly, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned ACJM, Patna in connection with Complaint Case No. 865C of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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