

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50674 of 2019

Arising Out of PS. Case No.-77 Year-2019 Thana- BIRAUUL District- Darbhanga

KAUSHAL KUMAR CHOUDHARY, aged about 48 years, Male, Son of Late Baidyanath Choudhary, a Resident of Village - Dumari, P.S.- Biraul Afzala, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajni Kant Jha

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-08-2019 Heard both sides.

The petitioner apprehends his arrest in Biraul P.S. Case No.77 of 2019 registered under Sections 406 and 420 of the Indian Penal Code.

The informant alleged that the petitioner borrowed Rs.1,92,000/- from the informant for doing business of sand and cement on assurance to return the money within six months but the petitioner did not return the money and gave cheque of Rs.1,92,000/-. When the informant presented the cheque, the cheque was dishonoured.

The learned counsel for the petitioner submits that the petitioner gave some cheque to the informant as security. The petitioner paid the entire amount but the informant did not



return the cheque and taking advantage of this fact, the informant presented the cheque. It is further submitted that cheque was not issued in the year 2018 but the same was issued in the year 2014.

Taking into consideration the facts aforesaid and the nature of allegation made against the petitioner and the fact that the dispute appears to be with regard to borrowing and repaying the loan, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Biraul, District-Darbhanga in connection with Biraul P.S. Case No.77 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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