

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51089 of 2019

Arising Out of PS. Case No.-191 Year-2018 Thana- ISHAKCHAK District- Bhagalpur

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KUNDAN TIWARI @ KUNDAN KUMAR TIWARI S/O- Gouri Tiwari @
Gauri Shankar Tiwari Resident of Village- Bikrampur Tola, Kamdeopur, P.S.-
Amarpur, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakritita Sharma, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Ishakchak P.S. Case No. 191 of 2018 for the offenses under
Sections 420, 406, 120 (B) of the Indian Penal Code and Section
138 of Negotiable Instruments Act.

Learned counsel for the petitioner submits that
petitioner has no criminal antecedent. Allegation against the
petitioner in the present case is that the petitioner has taken Rs.
11 Lakhs from the informant and returned the amount by
Cheque. The Cheque stands dishonoured and on that basis the
present case has been registered against the petitioner. Learned
counsel for the petitioner would submit that in the case of



Negotiable Instruments Act, FIR itself is an abuse of the process. The petitioner is in custody since 03.10.2018.

Considering the fact that the petitioner has no criminal antecedent and allegation is of dishonour of Cheque, the Court is inclined to grant bail to the petitioner. Let the petitioner, above named, be enlarged 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 learned Chief Judicial Magistrate, Bhagalpur, in connection with Ishakchak P.S. Case No. 191 of 2018.

(Anil Kumar Upadhyay, J)

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