

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62158 of 2019

Arising Out of PS. Case No.-466 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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SANDEEP KR. PANDEY @ SANDEEP KUMAR PANDEY Son of Late
Ramesh Chandra Pandey Resident of Village- Bankat Mushhari, P.S.-
Majhauria, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neyaz Afroz Son of Abdul Salam R/o Mohalla- Ganj No.01, Ward No. 14,
Chhoti Kabristan, P.S.- Bettiah Town, District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Satyavrat Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-09-2019 This application, for grant of anticipatory bail, arises

out of Bettiah Town P.S. Case No. 466 of 2018, disclosing

offences under Sections 406 and 420 of the Indian Penal Code and

Section 138 N.I. Act.

Prosecution case is that petitioner came to the house of
informant and demanded Rs. Two Lakhs for treatment of his
mother with an assurance to pay back the same within four
months, on which, the informant gave him Rs. Two Lakhs. After
four months petitioner demanded his money back, then, petitioner
issued a cheque of Rs. Two Lakh, which was dishonoured by the
Bank with remark insufficient fund.

Submission of learned counsel for the petitioner is that



the real fact is that petitioner and informant are business partners and there was transaction between them and due to that the petitioner has given him cheque as security, which was misused by the informant. Further submission is that the informant has not given the date of dishonour of the cheque and moreover, no complaint has been filed for instituting the case under Section 138 N.I. Act. It has also been submitted that earlier also, there was some transactions between the parties, which is evident from annexure -2.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Bettiah Town P.S. Case No. 466 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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