

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58197 of 2019

Arising Out of PS. Case No.-15 Year-2019 Thana- MADHUBANI TOWN District-
Madhubani

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MAHESH PRASAD GUPTA @ MAHESH GUPTA, aged about 60 years
(M), Son of Ram Das Gupta, Resident of Village - Sundar Bagh, Road No.2,
Manighat, P.S.- Mithanpura, Dist.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr.Sharda Nand Mishra, Advocate.
For the State	:	Mr. Ram Naresh Ray, A.P.P.
For the Informant	:	Mr. Ratnakar Jha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-09-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 341, 323, 379, 386, 406, 420,
504/34,506 of the IPC and 138 of N.I. Act.

The prosecution story, in brief, is that the petitioner
alongwith other co-accused with conspiracy cheated about Rs.
5,00,000/- and the cheques given by accused persons to the
informant became dishonored. The petitioner and others have
also abused and assaulted the informant.

It has been submitted by learned counsel for the
petitioner that the petitioner is languishing in custody since



25.07.2019. The petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner happens to be an employee of the company in question. The cheque has been issued by the company. Neither any amount is said to have been received by the petitioner nor cheque in question has been issued by the petitioner. He has been made accused in the present case due to mistake of fact.

On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhubani, in connection with Town (Madhubani) P.S. Case No. 15 of 2019, corresponding Criminal No. 84 of 2019.

(Sudhir Singh, J)

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