

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73206 of 2019

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

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Ashish Raj @ Mannu S/o Mahesh Gupta R/o village- Shankar Path,
Mithanpura, Muzaffarpur, P.S. and District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Md. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 379, 386, 406, 420, 504/34, 506 of the Indian Penal Code and Section 138 of N.I. Act.

The prosecution case got initiated on the basis of Complaint Case No. 1029 of 2019 which came to be registered as Madhubani Town P.S. Case No. 15 of 2019 after being transferred under Section 156(3) Cr.P.C. It is alleged that for getting the distributorship of one Pay to Get Services, the informant paid Rs.4,50,000/- but the distributorship was not given and on being asked to return the paid money, the petitioner gave four cheques to the informant which got dishonoured.



It is submitted by learned counsel for the petitioner that the payment by the informant was made through cheque issued in favour of the company. The petitioner is only an agent of the company. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned counsel for the informant that though the cheque was given in the name of the company but the petitioner persuaded the informant for payment of the money.

Considering the fact that the payment was admittedly made to the company by cheque and the informant does not suggest the business for which the money was paid by the informant, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Madhubani Town P.S. Case No.



15 of 2019, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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