

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2537 of 2020

Arising Out of PS. Case No.-79 Year-2016 Thana- DHAKA District- East Champaran

Md. Naushad Alam @ Guddu, Son of Md. Aslam, Resident of Bazar Samittee
Shop No.61, P.S.- Bahadurpur, Distt- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Waliur Rahman, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Dhaka P.S. Case No. 79 of 2016 arising out of Complaint Case No. 99 of 2016 registered for the offence(s) punishable under Sections 120B, 420 and 406 of the Indian Penal Code. Subsequently, the case was transferred under Section 156(3) of Cr.P.C.

The prosecution case is that the informant is a fruit seller in Patna. Informant handed over a blank cheque to the petitioner in the name of his brother, Md. Sajid as security. It is further alleged that the petitioner supplied fruit three times to the informant on 12.11.2015, 14.11.2015 and 16.11.2015 worth Rs.2,17,992/-, the informant had paid Rs.1,69,000/- to the petitioner and he had Rs.48,992/- left to be paid to the petitioner, thereafter, petitioner tried to withdraw Rs.3,10,033/- using the



blank cheque from the account. When the informant got to know about this act of the petitioner he asked the petitioner to take the rest amount of and return his blank cheque but he refused to do so.

It is submitted on behalf of the petitioner that the prosecution story is false and concocted. It is further submitted that when the petitioner demanded the rest amount, the informant gave a cheque which was got bounced on depositing the cheque in the bank due to insufficient balance. Petitioner has falsely been implicated in this case and he has no criminal antecedent.

Considering the aforesaid facts and circumstances as well as the nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the above named petitioner be enlarged 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 S.D.J.M., Sikrahna, Dhaka, Motihari in connection with Dhaka P.S. Case No. 79 of 2016 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and



on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J)

Ankit/-

U		T	
---	--	---	--

