

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6604 of 2020

Arising Out of PS. Case No.-619 Year-2019 Thana- LAKHISARAI District- Lakhisarai

Vikash Kumar Bharti @ Vikash Yadav, Son of late Yugeshwar Yadav Resident of Hasanganj, P.S.- Kasim Bazar, Distt - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Verma, Adv.
For the Opposite Party/s : Mr. Ajay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

7 10-03-2021 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner apprehends his arrest in connection with Lakhisarai P.S. Case No.619 of 2019 for the offence punishable under Sections 426, 420, 323, 341 of Indian Penal Code and 138 of N.I. Act.

As per prosecution case the allegation is that, when complainant came to Lakhisarai Market, suddenly the accused Vikash Kumar Bharti @ Vikash Yadav met and he started to abuse the complainant. On protest the accused assaulted and stated that complainant has sent the legal notice and threatened the informant. He further submitted that accused has given four cheques worth Rs.10 lakhs to the informant which was dishonoured due to insufficient fund. The complainant has brick-kiln and the accused is the Contractor and the accused



earlier purchased the bricks and paid for the same and stated that whatever the bricks were supplied, the challan is with him. Informant further alleged in the complaint petition that on reminder the accused gave two cheques dated 09.12.2018 amounting to Rs.3 lakhs each bearing Cheque No.159153 and 159151 which was dishonoured on 29.12.2018. The third cheque bearing no.159154 was issued on 30.12.2018 amounting to Rs.1,40,400/- and dishonoured on 18.02.2019. The fourth cheque bearing no.159152 was issued on 31.01.2019 amounting to Rs.3 lakhs and dishonoured on 18.02.2019.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. Petitioner has no concern with the informant and neither he is known to him nor any business has been done with him. Even otherwise dispute is of civil nature. Four signed cheques of petitioner were lost and informant is taking undue advantage of same.

Having regard to the facts and circumstances of the case, let the petitioner above named be released on bail on deposit of 20% of the amount in question, which shall be subject to outcome of the case, in the event of his arrest or surrender before the court below within a period of four weeks



from the date of receipt/production of a copy of this order, on
furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with
two sureties of the like amount each to the satisfaction of
learned Chief Judicial Magistrate, Lakhisarai in connection with
Lakhisarai P.S. Case No.619 of 2019 subject to the conditions as
laid down under Section 438(2) of Code of Criminal Procedure.

(S. Kumar, J)

Prakash Narayan /-

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

