

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16894 of 2020

Arising Out of PS. Case No.-415 Year-2018 Thana- SUPAUL District- Supaul

=====

SHAIENDRA YADAV @ SHAIENDRA KUMAR YADAV @
SHAIENDRA KUMAR Son of Late Sitaram Prasad Yadav Resident of
Village-Ghogharariya (Ward no.7) Manoharpatti, P.S. and District-Supaul at
present Resident of Muhalla-Nagar Parisad Supaul (Ward no.1), P.S and
District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Jha, Advocate.
For the State	:	Mr. Satyendra Prasad, APP
For the O.P. No.2	:	Mr. Pranav Kumar, Advocate.
		Mr. Vijay Bardhan, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 01-03-2021 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned A.P.P. for the
State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 420 & 406
of the Indian Penal Code.

The prosecution case, in brief, is that informant is
the owner of the truck and proprietor of P.S. Enterprises. The
petitioner is the supplier of the stone chips. The petitioner is said
to have used the truck of the informant for carrying stone chips
on credit. When the rent of the truck became due for about Rs.2



lakh and after repeated requests the petitioner issued a cheque but it was dishonored due to insufficient amount. When the informant approached the petitioner for payment of due amount, he is said to have abused by the petitioner.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. As a matter of fact, when the petitioner issued the cheque at that time there was sufficient money in his account but, after sometime, for business work the money was withdrawn by him and without informing him the informant deposited the said cheque in the bank and it became dishonored. He has no criminal antecedent.

Petitioner is ready to deposit Rs.40,000.00 (Rupees Forty Thousand) in the Nazarat of the Civil Court subject to the final outcome of the case.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, after depositing Rs.40,000.00 (Rupees Forty Thousand) in the Nazarat of the Civil Court, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount



each to the satisfaction of the learned Chief Judicial Magistrate,
Supaul in connection with Supaul P.S. Case No. 415 of 2018,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

Trivedi/-

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

