

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37970 of 2020

Arising Out of PS. Case No.-69 Year-2017 Thana- CHAND District- Kaimur (Bhabua)

MANOJ PANDEY S/o Ram Vilash Pandey, Resident of Village- Baradhi,
P.S.- Chand, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dilip Kumar Singh S/o Panna Singh, Resident of Village- Mohaniya, P.S.-
Mohaniya, District- Kaimur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy, Adv.

For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-07-2021 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Chand P.S.
Case No.69 of 2017 registered under Sections 420 and 427 of
the Indian Penal Code.

The informant alleged that the petitioner handed over
a cheque to the informant for hiring his truck but when the
cheque was presented, it was dishonoured. The informant
informed the petitioner but the petitioner torn the cheque and
denied to have issued any cheque.

Learned counsel for the petitioner submits that the
petitioner and the informant are friends and they are doing
business. The cheque has not been annexed with the F.I.R. It has

not been stated that when the said cheque was presented to the Bank. At best, an offence under Section 138 of the N.I. Act can be made out for which there should have been a complaint. But instead of filing a complaint, the informant filed the F.I.R.

Taking into consideration the facts and the nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Kaimur at Bhabua in connection with Chand P.S. Case No.69 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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