

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28119 of 2021**

Arising Out of PS. Case No.-313 Year-2020 Thana- AURANGABAD TOWN District-
Aurangabad

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RAUSHAN KUMAR SINGH @ RAUSHAN KUMAR S/O ARVIND
SINGH R/o village- Baheri, P.S.- Gurua, District- Gaya, At present Resident
of P.H.E.D Colony, P.S.- Aurangabad Town, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ashok Kumar Singh S/o Ram Pravesh Singh Resident of Chatriya Nagar,
Ward No. 4, P.S.- Town, District- Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate. Mr. Bhaskar Shankar, Advocate.
For the Opposite Party/s :		Mr. Rambilash Roy Raman, APP
For Opposite Party No.2 :		Mr. Abhishek Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 406, 420
& 120B of the Indian Penal Code.

The allegation against the petitioner is that he
purchased cement, chips and rod worth Rs.8 lakhs from the shop
of the informant and paid in cash Rs.2 lakhs only. For the rest
payment, he gave cheque to the informant of Rs.6 lakhs, which



was dishonored by the bank due to insufficient amount.

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. The informant has concocted the case only with a view to harass the petitioner. As a matter of fact, the petitioner has filed a petition dated 21.10.2019 in the Court of SDM, Aurangabad in which he has mentioned that he has lost his bag along with Aadhar Card, PAN Card, passbooks of PNB and cheque book no.503411 to 503460. He has also lodged a Sanha in the Town P.S. on 16.10.2019 regarding missing of his bag along with his Aadhar Card, passbook and cheque book and on his request PNB, Ratnua has stopped his account. He further submitted that the present case against the petitioner is due to business transaction and appears to be a civil dispute.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, 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 Court below where the case is pending/successor Court in



connection with Aurangabad Town P.S. Case No. 313 of 2020,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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