

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20455 of 2022

Arising Out of PS. Case No.-48 Year-2020 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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MAHESH BHARDWAJ Son of Bhagwan Charan Dwari Resident of - Near
Bal Bharti School Deoghar, Ward No.- 28, Shivpuri Chhatisi, P.O.- Deoghar
B, P.S.- Deoghar, District - Deoghar, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Samir Kumar, Adv

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-11-2022 Heard the parties.

The petitioner apprehends his arrest in a case registered
for the offence punishable under section 406 and 420 of the
Indian Penal Code and section 138 of the N.I. Act.

The allegation against the petitioner is that he grabbed the
money of the complainant after committing breach of trust and
cheating.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation
levelled against the petitioner is not specific rather general and
omnibus in nature. The cognizance has been taken under section



406 and 420 of IPC and 138 of NI Act. He further submits that there is a business transaction between the parties. Petitioner has no criminal antecedent.

Learned APP for the State as well as leaned counsel for the complainant opposed the bail application and submits that the petitioner has cheated the complainant and given him a cheque of Rs.16,74,021/- and the said cheque was presented by the complainant before the bank, but the said cheque was bounced due to insufficient fund in the account.

Having regard to the facts and circumstances of the case, since there is a business transaction between the parties, 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 Complaint Case No. C-48 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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