

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43847 of 2022

Arising Out of PS. Case No.-149 Year-2020 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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1. Ajay Kumar Singh Son Of Ram Mohan Singh Resident Of Village - Pasain, P.S.- Belaon, Distt.- Kaimur At Bhabua.
 2. Dhananjay Kumar Singh Son Of Ram Mohan Singh Resident Of Village - Pasain, P.S.- Belaon, Distt.- Kaimur At Bhabua.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ritesh Kumar Pathak Son of Rameshwar Pathak Resident of Village - Sindhi, P.s.- Belaon, Distt.- Kaimur at Bhabhua at Present Bhabhua Ward no.11 Chakabandi Road, P.s.- Bhabhua, Distt.- Kaimur at Bhabhua.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arabind Nath Pandey, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-12-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Section 420 of the Indian Penal Code and Section 138(A) of the N.I. Act.

Allegedly, it is the case of cheating the complainant by the petitioners and other co-accused persons after taking paddy of Rs. 7,40,000/- from him.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He



further submits that from perusal of the complaint petition, it appears that the complainant handed over paddy to the co-accused and the petitioners, who after measurement took away it and for which co-accused Ajay Kumar @ Ajay Chauhan gave a cheque bearing no.007840 of Axix Bank duly stamp of Man Durgeshwai Mini Rice Mill, which was deposited in the bank but it bounced in absence of sufficient money. Therefore, it is admitted fact that the petitioners did not issue any cheque in the name of the complainant. It is only alleged that petitioners only carried the paddy after measurement. He further submits that petitioners had no concern with the business of the co-accused Ajay Kumar @ Ajay Chouhan. In fact, the petitioners' family himself were cheated by said Ajay Chauhan in the same fashion for which a complaint case bearing no.1069 of 2019 has been filed against the co-accused Ajay Kumar @ Ajay Chauhan under Sections 415 and 420 of the IPC and Section 138 of the NI Act in which cognizance has been taken under Section 138 of the N.I. Act on 07.11.2019 by the learned ACJM-V, Kaimur at Bhabua.

Considering the aforesaid submissions, let the petitioners, above named in the event of their arrest or surrender before the court below within a period of four weeks from



today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Kaimur at Bhabhua in connection with Complaint Case No. 149 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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