

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3110 of 2023

Arising Out of PS. Case No.-2008 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

Meraj Ahmad Son Of Reyaz Ahmad R/O Mohalla- Dharampur, Ward No. 02,
P.S.- Town, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mazharul Hassan

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

As per prosecution case, the petitioner requested the complainant to give loan, the informant gave Rs. 15,00,000/- loan for business. It is further alleged that the petitioner issued a cheque and the complainant deposited the said cheque for encashment in his account which has been returned and cheque has been rejected by the Bank due to stop payment of cheque in his account.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is business transaction between the petitioner



and the complainant and one cheque was given by the petitioner was bounced due to application before the Bank for stop payment as enclosed in Annexure-4 of this bail application. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is business transaction between the parties and cognizance was taken against petitioner under Section 138 of the NI Act, 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 Complaint Case No. 2008 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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