

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11402 of 2023

Arising Out of PS. Case No.-1257 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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GAURI SHYAM CHAUHAN SON OF LATE PANNALAL CHAUHAN R/O
VILLAGE- BELDARICHAK, P.S.- PARSA BAZAR, DISTRICT- PATNA

... .. Petitioner/s

Versus

1. The State of Bihar
2. SHYAM NARAYAN SINGH SON OF LATE YUGAL SINGH R/O
VILLAGE- SHIV NAGAR, ROAD NO.2, P.S.- PARSA BAZAR,
DISTRICT- PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Arun Kumar, Adv.
For the Opposite Party/s :	Mr.Parmanand Kumar, APP
	Mr.Sanjay Kumar Verma, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioner, learned counsel
for the O.P. No.2 and learned APP for the State.

2. Petitioner apprehends his arrest in a case registered for
the offence punishable u/s 420 IPC and 138 of N.I. Act.

3. The allegation against the petitioner is that he has taken
loan of Rs.2,40,000/- from the complainant but did not return
the same within time and on demand, two cheques were given
by the petitioner but the same got dishonored by bank.

4. 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 due to ulterior motive. It



is submitted that the cheques were bounced, then complainant has given legal notice to the petitioner. Thereafter, cognizance was taken u/s 138 of the N.I. Act. There is no paper to show that the petitioner has taken the said amount from the complainant. Petitioner has three criminal antecedent.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering that there is money dispute between the parties and cognizance has already been taken u/s 138 of the N.I. 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.1257(C)/18, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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