

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13513 of 2022**

Arising Out of PS. Case No.-889 Year-2020 Thana- GAYA COMPLAINT CASE District-
Gaya

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ABHIMANYU KUMAR SON OF SRI ARJUN PRASAD R/O MOHALLA-
PURANI GODOWN, P.S.- KOTWALI, DISTRICT- GAYA

... .. Petitioner/s

Versus

1. The State of Bihar
2. ALOK KUMAR SON OF SRI ARJUN PRASAD R/O MOHALLA-
PURANI GODOWN, NEAR KESHRI DHARAMSHALA, P.S.-
KOTWALI, DISTRICT- GAYA. AT PRESENT RESIDING AT PURANI
GODOWN, NEAR JAIN TRANSPORT, P.S.- KOTWALI, DISTRICT-
GAYA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

12 17-01-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner as well as

learned APP for the State.

The petitioner apprehends his arrest in connection

with Complaint Case No. 889 of 2020, registered for the

offences punishable under Section 406 of the Indian Penal Code

and Section 138 of the Negotiable Instrument Act.

The petitioner and the complainant are own brothers.



They are engaged in business of foodgrains. The complainant has made allegation that petitioner took a loan of Rs. 26 lacs from him. The petitioner has returned Rs. 1 lakh cash and he issued a cheque for Rs. 25 lacs, which was dishonoured by the Bank.

The learned counsel for the complainant has submitted that two cheques issued by the petitioner of similar amount were also dishonoured by the Bank.

The learned counsel for the petitioner is handing over a draft of Rs. 25 lacs (cheque bearing no. 775762 dated 27.12.2022) to the learned counsel for the complainant in view of the allegation made in paragraph no. 3 of the complaint petition.

The payment of the above-mentioned money through draft is subject to outcome of the trial.

Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Gaya in connection with Complaint Case No. 889 of 2020, subject to the



conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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