

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20950 of 2023

Arising Out of PS. Case No.-24 Year-2022 Thana- MADHEPUR District- Madhubani

Mudrika Prasad Yadav S/O Late Jewar Prasad Yadav Presently Resident Of
Prakash Bhawan, Pramod Das Gupta Sarani, Ward No.- 26, P.S.- Siliguri,
District- Darjeeling, West Bengal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate Mr. Anwar Karim, Advocate Mr. Birendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-06-2023 Heard Mr. Y.C. Verma, learned Senior Counsel for the

petitioner assisted by Mr. Anwar Karim, learned Advocate and

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 420 and
34 of the Indian Penal Code and Section 138 of the Negotiable
Instrument Act.

The prosecution case, in brief, is that informant is a
foodgrain dealer and he negotiated with this petitioner and
supplied the foodgrains worth Rs.4,52,97,286/- and the petitioner
made payment of Rs.3,10,00,000/- and for the rest amount he
issued two cheques which got dishonored due to insufficient
balance.

It is submitted by learned Senior Counsel for the
petitioner that no such occurrence as alleged ever took place. He
has been falsely implicated in this case with a mala fide intention



to damage the good market reputation. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that the petitioner is still willing and ready to sit together with the informant and settle the dispute through Arbitration but the informant is not interested for it. Similarly situated co-accused has been enlarged on bail by a co-ordinate bench of this court vide order dated 24.06.2023 passed in Cr. Misc. No. 19128 of 2023. 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, 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 Madhepur P.S. Case No. 24 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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