

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28739 of 2023

Arising Out of PS. Case No.-130 Year-2022 Thana- CHHATAUNI District- East Champaran

ASHUTOSH KUMAR JAISWAL @ SUMIT son of Om Prakash Jaiswal
Village- Thikaha Bhawanipur Ps- Sangrampur Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Anil Kumar, Adv.
For the Opposite Party/s	:	Mr.Sanjay Kumar Tiwary, APP
For the Informant	:	Mr.Pravin Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-07-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 406 and 420 of the IPC, section
138 of the Negotiable Instrument Act.

3. Allegedly, the petitioner took loan of Rs.10 Lakhs from
the informant and to return Rs.9 Lacs, he gave a cheque to the
informant but the same was dishonored by the bank, as such, the
F.I.R. was lodged against the petitioner.

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 from perusal of the alleged cheque, it



transpires that all the particulars were filled up by the informant himself. There is no evidence of payment of the alleged amount. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is a money dispute between the parties, 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 Chhatauni P.S. Case No.130 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

