

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31202 of 2023

Arising Out of PS. Case No.-489 Year-2020 Thana- NAGAR District- Vaishali

SODHAN SINGH SON OF CHANDRADEO SINGH Resident of village -
Yusufpur, Chhoti Madai, P.S. - Town Hazipur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Shekhar, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-07-2023 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State.

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

3. The informant alleges that his son was cheated by the accused persons including the petitioner of Rs. 8,00,000/- and odd in the name of business of GPS installation and mobile recharge, further accused Samarjit gave two cheques of Rs. 2,60,000/- each to his son but the same bounced on presentation for encashment.

4. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that petitioner



being father of Samarjit has been implicated when he has nothing to do with SRDeal Digital Pvt. Ltd., it is next submitted that even the cheque was not issued by the petitioner rather the same was issued by Samarjit nor any money out of Rs. 8,00,000/- and odd was credited in the account of the petitioner, it is also submitted that the law is settled that in a case relating to bouncing of cheque, an FIR is not maintainable.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Town P.S. Case No. 489 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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