

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27851 of 2023

Arising Out of PS. Case No.-1161 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Yashwant Kumar Son Of Awadhesh Kumar Singh Resident Of Village -
Rupauli, P.S.- Saraiya, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rakesh Kumar Son of Late Nageshwar Prasad Chaurasiya Manager, Sagar Enterprises, P.S.- Govindganj (Areraj O.P.), District - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-07-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 406, 420 of the Indian Penal Code and Section

138 of the Negotiable Instruments Act.

The prosecution case as per complaint is that

the complainant is Manager of Sagar Enterprises and

petitioner is employee of the said firm. It is alleged by

the complainant that he collected money of firm to



deposit the same in the bank but did not deposit the same in the bank and when the complainant put pressure, the petitioner issued a cheque of Rs. 17,40,000/- which got bounced.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. At the time of appointment of the petitioner, the proprietor took his four signed blank cheques as a security and out of four cheques, two cheques have been dishonestly used by the proprietor for his implication in a false case. It is further submitted that for the same occurrence, the proprietor of Sagar Enterprises has already lodged Govindganj P.S. Case No. 283 of 2022 against the petitioner. Moreover, for a civil nature of dispute, the petitioner has been roped in a criminal proceeding. The petitioner is languishing in custody since 03.09.2022.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the



petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Complaint Case No. 1161 of 2022 (Trial No. 279/2022).

(Sunil Kumar Panwar, J)

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