

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40329 of 2023

Arising Out of PS. Case No.-354 Year-2021 Thana- CHANDAUTI District- Gaya

MD. RASHID AHMAD son of Md. Sarfaraz Village- Bara Ps- Chakand Dist-
Gaya. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra
For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2023 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 offences punishable under Sections 467, 468, 471, 420 & 406 of the Indian Penal Code and Section 138 of the N.I. Act.

3. The allegation against the petitioner is that he has taken goods from the informant and did not return the money. A cheque of Rs.10,00,000/- was given to the informant which got dishonored due to insufficient money.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case in the present concocted case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further



submitted that the dispute between the parties arise out of business transaction, which is civil in nature and for this the criminal case has been lodged against him. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Having regard to the facts and circumstances of the case as also the fact that dispute *inter se* is civil in nature, 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 Chandauti P.S. Case No. 354 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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