

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44459 of 2023

Arising Out of PS. Case No.-251 Year-2016 Thana- BETTIAH CITY District- West
Champaran

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Rajesh Kumar @ Rajesh Kumar Sinha, Son of Bhubneshwar Prasad Sinha,
Village- Dhaneshwari, Mandal Tola, P.S.- Bhargama, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Praveen, Adv.

For the Opposite Party/s : Ms. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 26-07-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

2. Petitioner seeks regular bail in connection with
Bettiah Town P.S. Case No. 251 of 2016 dated 18.05.2016
registered for the offences punishable under Sections 341, 323,
324, 406, 420, 504 and 506/34 of the Indian Penal Code and
Section 138 of the Negotiable Instrument Act.

3. The main submissions advanced by learned
counsel for the petitioner are that the FIR clearly goes to show
that the main allegation made against this petitioner relates to
the dishonourment of two cheques which was issued by this
petitioner and the wrong allegedly committed by this petitioner
comes in the purview of Section 138 of the N.I. Act which is a
bailable offence but in actual the petitioner took construction
material worth of Rs. 8.18 lacs through the informant and for



the payment of the said construction materials he issued the alleged two cheques and there was no dishonest intention on the part of the petitioner while issuing the said cheques. Further submissions are that two co-accused persons namely Fool Mohammad and Ashik @ Arif carrying similar nature of allegation have been granted bail by the Trial Court itself and the petitioner has been languishing in jail since 08.11.2022 in the present matter and against him there was no criminal antecedent before lodging of the present case but subsequently he has been made accused in another case bearing Puraini P.S. Case No. 184/2020.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and nature of allegation, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Bettiah Town P.S. Case No. 251 of 2016.

(Shailendra Singh, J)

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