

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44706 of 2022

Arising Out of PS. Case No.-1037 Year-2020 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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SANJAY KUMAR GUPTA S/o Ram Chandra Gupta R/o Hanuman Garhi,
Nakchhed Tola, Ward No. 04, P.S.- Motihari, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suresh Chandra Gupta S/o Late Shankar Prasad Resident of Hanuman Garhi, Nakchhed Tola, Ward No. 4, P.S.- Town Motihari, District- East Champaran

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-02-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

Learned counsel for the petitioner undertakes to
remove the defect (s), as pointed out by the office, within a
period of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 406 of the
Indian Penal Code read with Section 138 of the N.I. Act.

Allegation against the petitioner is that he had
borrowed an amount of Rs. 5,00,000/- (Rupees Five Lacs only)
from the complainant on the pretext of her daughter's marriage.
The petitioner assured him to return the same in short period.



Then the petitioner issued a cheque which was dishonored.

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. He submits that the petitioner and the opposite party no. 2 are the family members and are engaged in the same business. There is business transactions between them, during the course of business dispute arose between them. He also submits that the petitioner has filed a complaint case in the court below against the brother of opposite party no. 2, thereafter, the present complaint case was lodged by opposite party no.2. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

Having regard to the facts and circumstances of the case, 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 Complaint Case No. 1037 of 2020,



Corresponding enquiry no. 162 of 2021, subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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