

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47988 of 2023

Arising Out of PS. Case No.-139 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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BRINJI PANDEY @ BRINJEE PANDEY SON OF MALWAR PANDEY
RESIDENT OF VILLAGE- BISPATTI, TOLE LAXMIPUR, PS- SURSAND,
DIST- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dinesh Jha, Adv.

Mr.Abhineet, Adv.

For the Opposite Party/s : Mr.Binod Kumar No.3, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 420/34 of IPC & 138 of N.I. Act.

3. Allegedly, on the pretext of a business transaction, on the
assurance of the petitioner, the informant supplied soap against
Rs.6,60,106/- which is due against the petitioner. The informant
said to pay the money through RTGS but gaining his faith,
petitioner issued a cheque for the above denomination of PNB
to the informant but the same was returned due to insufficient
fund.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that there is business transaction dispute between the parties. Petitioner is a retailer and informant is the owner of Mithila Soap Industries and petitioner took goods from the factory of the informant and for pity dispute, he was implicated in this case and some other cases. Petitioner has six criminal antecedent.

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

6. Having regard to the facts and circumstances of the case, considering that there is business transaction dispute between the parties, 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 Sadar P.S. Case No.139/2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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