

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50384 of 2023

Arising Out of PS. Case No.-193 Year-2023 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Naveen Kumar @ Naveen Kumar Son Of Late Ramchandra Singh Resident
Of Village- Ababakarpur, Po- Manpur, Ps- Nh. Bangra, Dist- Samastipur
... .. Petitioner/s

Versus

1. The State of Bihar
2. Amardeep Singh Son Of Late Abhay Nath Singh Resident Of Village-
Majlispur, Po- Alipur Hatta, Ps- Mahnar, Dist- Vaishali
... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Baidya Nath Thakur
For the complainant	:	Mr. Rana Vikram Singh
For the Opposite Party/s	:	Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-09-2023 Heard learned counsel for the petitioner, complainant
and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 406, 420 of
the Indian Penal Code and Section 138 of the N.I. Act.

3. Allegation against the petitioner is that he cheated
the informant by giving him 3 fake cheques of Rs. 15,00,000/-.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that a commercial dispute has been given a
colour of criminal case. He submits that vide order dated
01.03.2023, the Judicial Magistrate, 1st Class, Vaishali at Hijipur
took cognizance under Section 420 of the IPC and Section 138
of the N.I. Act and issued summons to the petitioner. He submits



that the complainant and Sona Infracon Pvt. Ltd. through its Managing Director I.e the petitioner signed an agreement. It was clearly stipulated in clause 10 of the agreement that undated cheques, with no name of the payee, will be handed over to the complainant only for the purpose of security and not for payment. He further submits that petitioner has one criminal antecedent as stated in para-2 of the supplementary affidavit.

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

6. Considering the facts and circumstances of the case and the fact that the present dispute is business dispute, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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. 193 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anjani Kumar Sharan, J)

