

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61610 of 2022**

Arising Out of PS. Case No.-174 Year-2021 Thana- INDUSTRIAL AREA District- Vaishali

Brinji Pandey @ Binji Pandey @ Bringi Pandey @ Brinjee Pandey Son Of  
Malwar Pandey Resident Of Village - Laxmipur, Ward No.- 5, Dadhabadi,  
P.S.- Sursand, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sachin Banka Son of Sri Sajjan Kumar Banka Resident of Village - Shyam  
Trading Company, Sulaganpur, Near J.P. Evening College, Jandaha Road,  
P.S.- Industrial Area, District - Vaishali at Hajipur

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Navjot Yesu  
For the Opposite Party/s : Mr.Jai Narain Thakur

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

- 3      21-02-2023                      Heard learned counsel for the petitioner and  
  
learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a  
  
case registered for the offences punishable under  
  
Sections 406, 420, 504, 506 of the Indian Penal Code  
  
and Section 138 of the N.I. Act.

The prosecution case as per F.I.R is that  
  
informant's company is doing the business of soap,  
  
detergent, noodles, refind oil etc in the entire State of  
  
Bihar. It is further alleged that the informant was not



well and was undergoing treatment and taking the benefit of the same, the petitioner and other F.I.R named accused persons have fraudulently kept the money and on several request by the staff of the informant, they did not return the money. The petitioner is alleged to have not paid Rs. 14,38,594/- and the cheque issued by the petitioner was also got bounced.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner also runs the business and in the year 2012-13, he entered into an agreement with the informant and at that time, the petitioner gave three cheques without signature and date to the informant but the petitioner was not happy with the goods which were supplied and since the goods supplied was not of standard quality, he requested the informant to hand over the aforesaid three cheques. The said cheques were later on used by the informant as a tool against the petitioner. The petitioner is languishing



in custody since 04.01.2022.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Industrial P.S. Case No. 174 of 2021.

**(Sunil Kumar Panwar, J)**

Shageer/-

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