

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63050 of 2022

Arising Out of PS. Case No.-770 Year-2022 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabhua)

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1. RAMESH PRASAD Son of Arjun Prasad Chaurasiya R/v- Akhlaspur, P.S.- Bhabhua, District- Kaimur at Bhabhua
 2. KIRAN BALA Wife of Ramesh Prasad R/v- Akhlaspur, P.S.- Bhabhua, District- Kaimur at Bhabhua

... .. Petitioner/s

Versus

1. The State of Bihar
2. DEONARAYAN SINGH Son of Kunwar Singh R/o- Bhabhua Ward No. 2, P.O and P.S.- Bhabhua, District- Kaimur (Bhabhua)

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shankar Kumar, Adv.
For the Opposite Party/s :	Mr.Uday Pratap Singh, APP
	Mr.Ramchandra Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-03-2023 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the complainant.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 406 of IPC and 138 of N.I. Act.

As per the prosecution case, the petitioners given cheque of Rs.9,98,000/- to the complainant but the same were returned due to insufficient fund.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever



taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The complaint was registered u/s 406 of the IPC and section 138 of the N.I. Act and learned court below has already taken cognizance u/s 406 of the IPC and section 138 of the N.I. Act. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the complainant vehemently opposed the prayer for bail and submits that both the cheques have bounced due to insufficient amount.

Having regard to the facts and circumstances of the case, since the court below has taken cognizance u/s 138 of N.I. Act, let the above named petitioners, be released on bail, in the event of their 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) each 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.770 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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