

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67393 of 2022

Arising Out of PS. Case No.-2139 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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DR. NALIN BILOCHAN Son of Late Ishwar Chand Sinha R/o- Khabra
Road, Near Kalambagh Chowk, P.S.- Kaji Mohammadpur, District-
Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. RAMASHANKAR SINGH Son of Late Jung Bahadur Singh R/v- Srikrishan
Nagar, P.S.- Nagar Motihari, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ramakant Sharma, Sr. Advocate
		Mr.Satyam Shivam Sundaram, Advocate
For the Opposite Party/s :		Mr.Navin Kumar Pandey, APP
For the Complainant	:	Mr. Abhishek Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-04-2023 Heard learned senior counsel appearing on behalf of

the petitioner and learned Additional Public Prosecutor

appearing on behalf of the State as well as learned counsel for

the complainant.

Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

The accused/petitioner is named in complaint and

apprehend his arrest in connection with Complaint Case No.

2139 of 2018 in which cognizance has been taken under



Sections 406 and 420 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act (in short N.I. Act).

The allegation against the petitioner is to issue a cheque of Rs. 2,60,000/- to complainant, who was intended purchaser of shops supposed to be constructed in out-skirts of the college campus during the tenure of the petitioner, when he was principal. It is also alleged thereof that said cheque of Rs. 2,60,000/- was dishonored on presentation.

Learned senior counsel Mr. Ramakant Sharma appearing on behalf of the petitioner submitted that petitioner being principal transferred from the alleged college after issuing the cheque of Rs. 2,60,000/- to complainant, who subsequently stopped under the direction of successor principal, namely, Dr. Arun Kumar, causing dishonoring of cheque in issue. It is submitted that said co-accused Dr. Arun Kumar has already been granted anticipatory bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 75606 of 2019 vide order dated 02.12.2019. It is further submitted that admittedly, the transaction was made from university bank account and not from the private account of petitioner.

Learned APP duly assisted by learned counsel, Mr. Abhishek Kumar, for the complainant opposes the prayer of bail



with a prayer that matter be sent to mediation center of this Court.

Considering the aforesaid facts and circumstances, as payment was not stopped by this petitioner, let this petitioner, in the event of his arrest or surrender within a period of four weeks, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-I Class, Mothihari/concerned Court, in connection with Complaint Case No. 2139 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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