

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70428 of 2022

Arising Out of PS. Case No.-603 Year-2018 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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ABHISHEK KUMAR Son of Ram Binay Prasad Singh R/o Flat No.- 6,
Building A- 103, Paryawaran Complex, IGNOU Road, Saidullahjab, Saket,
P.S.- Saket, New Delhi, Permanent address R/o village - Kamalnath Nagar
Gram, P.S.- Chiraiya, District - West Champaran at Bettiah.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kavi Ranajan Parit Son of Sri Ramswaroop Rajak R/o Postal Colony, P.S.-
Barari, District – Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saurav Anand
For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

By order dated 30.01.2023, notice was issued to O.P.
No.2. The office points out that O.P. No.2 refused to take notice.

In view of the fact aforesaid, the notice issued upon
O.P. No.2 is treated to be validly served.

The petitioner apprehends his arrest in connection
with Complaint Case No.603 of 2018, registered for the
offences punishable under Section 420 of the Indian Penal Code
and Section 138 of the N.I. Act.

As per complaint petition, the allegation against the
petitioner is that he taken Rs.15,85,000/- from the complainant



and after sometime, the petitioner issued cheque for the said amount in favour of the complainant but when the complainant deposited the cheque in the Bank, the cheque got bounced due to insufficient amount in the account.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that petitioner and complainant are business partner and due to some dispute, the instant complaint case is filed by the complainant.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the facts aforesaid and the fact that dispute between the parties is civil in nature, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be released 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 learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Complaint Case No.603 of 2018, subject to the conditions laid down under



Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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