

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81879 of 2023

Arising Out of PS. Case No.-2647 Year-2009 Thana- PATNA COMPLAINT CASE District-
Patna

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Pankaj Kumar Son of Sri Upendra Mandal R/o House No. 17 C/o Niraj
Kumar Thakur Sri Nagar A.G. Colony, P.S. - Shastrinagar, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Narendra Prasad Singh Son of Late Shyam Narayan Singh R/o vill -
Ramjichak, P.S. - Digha, Distt. - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kaushal Kumar, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Complaint Case No. 2647(C) of 2009, filed on 05.10.2009 wherein processes have been directed to be issued after cognizance being taken for the offences under Section 420 of the Indian Penal Code and Section 138 of N.I. Act.

3. As per prosecution case, the petitioner was appointed as power of attorney by the complainant for selling some property but after selling the property cheque given by the petitioner to the complainant was dishonoured due to



insufficient fund.

4. Learned counsel for the petitioner submits that the matter has made payment of the amount of cheque and a supplementary affidavit in this regard has been filed and nothing remains in the matter and it was matter of monetary transaction. The petitioner is having criminal antecedent of four cases and all the cases have been filed by the same complainant. Out of four cases, in two cases petitioner has been acquitted and in other two cases he is on bail.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the return of money by the petitioner and civil nature of dispute, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Patna/concerned court in connection with Complaint Case No. 2647(C) of 2009, subject to the condition as laid down under Section 438(2) of the Code



of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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