

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83188 of 2023

Arising Out of PS. Case No.-1144 Year-2022 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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CHANCHAL KUMAR SINGH S/O LATE RAJDEV SINGH R/O
MOHALLA PRATAP NAGAR WARD NO. 29 NEW, OLD WARD NO.-07,
BIHIND DR. M.B. SINGH AND BESIDES JAYGURUDEV, P.S AND
DISTT.- SITAMARHI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. PAWAN KUMAR MISHRA LATE BINDESHWAR MISHRA R/O
MOHALLA PRATAP NAGAR WARD NO. 29 NEW, OLD WARD NO.-07,
BIHIND DR. M.B. SINGH AND BESIDES JAYGURUDEV, P.S AND
DISTT.- SITAMARHI.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Singh, Adv.
For the Opposite Party/s : Mr.Bisheswar Ram, APP
Mr.Ashok Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner, learned counsel
for the O.P. No.2 and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 406 of the IPC and 138 of NI Act.

3. Allegation against the petitioner is that he took Rs.Two
Lakhs from the complainant on the assurance to return the same
and thereafter, the petitioner gave a cheque of Rs.Two Lakhs to
the complainant but the same got bounced due to insufficient
balance.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. It is submitted that the cognizance has already been taken by the Court below u/s 138 of the N.I. Act on the basis that there is money dispute between the parties. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since cognizance has been taken u/s 138 of the N.I. Act, let the above named petitioner, be released on bail, in the event of his 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) 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 C1-1144/22, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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