

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3130 of 2024

Arising Out of PS. Case No.-1608 Year-2020 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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Amardeep Kumar @ Amardip Kumar Son Of Late Suryadeo Prasad Singh @
Suryadeo Prasad Resident Of Village - Alisaray, P.S. - Sakra, District -
Muzaffarpur, Bihar

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Kumar Rajeev Son Of Mahendra Narayan Sinha Resident Of Sushila Sadan
Gannipur Mishra Tola, P.S. - Kazimohammadpur, District - Muzaffarpur,
Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Complaint Case No. 1608 of 2020 dated 18.08.2020, instituted
for the offence punishable under Sections 406 and 420 of the
Indian Penal Code.

3. The allegation against the petitioner is that,
petitioner asked for a sum of Rs. 10 lakhs for running his
business of brick-kiln from the complainant and assured that he
will return the amount within one year. When the petitioner
demanded his money, the petitioner took further time of 2 to 3



years and assured that he will return the amount with interest. Thereafter, the petitioner gave two cheques of five lakhs each but the same could not be honoured by the bank on account of the fact that petitioner had already stopped the payment of the cheque.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the earlier an information was given on 18.05.2017 in Sakra Police Station by the petitioner stating that while going to Sujawalpur from his house, he has lost his pass book and cheque which consist of cheque leaf from 005202 to 005250 issued from Bank of India and also paper of the motorcycle. It is further stated that after three years, two cheques bearing Cheque leaf nos. 005202 and 005204 has been placed before the bank for encashment by the complainant. Learned counsel further submitted that cheque do not bear the signature of the petitioner. It is further stated that complainant is brother of brother-in-law of the petitioner. Lastly, it has been submitted that the petitioner has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Complaint Case No. 1608 of 2020, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- 1st (East), Muzaffarpur, Bihar, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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