

Arising from the above facts, the following questions are posed for consideration:

1. Whether the respondents are entitled to the relief sought for?

P.S.- Bangalore

1. The State of Karnataka

2. Premises of the respondents

Malsang

1. Dharmendra Kumar Son of Ram Pravesh Gupta Resident of Rani Sarai,
P.S.- Bakhtiyarpur, P.O.- Bakhtiyarpur, District- Patna

Versus

- Opposite Party/s

For the Petitioner/s : Mr. Amardeep
For the Opposite Party/s : Mr. Md.Ansharul Haque(App)

4 06-04-2015 Heard learned counsels for the petitioner,
complainant and the State.

The petitioner is apprehending arrest in a complaint case filed with accusation under Section 406 of the Indian Penal Code and section 138 of the N.I. Act.

It is alleged that the petitioner took a loan of Rs.8,75,000/-. Subsequently, he issued two cheques for rupees four lacs and three lacs which got bounced.

It is submitted by learned counsel for the petitioner that the petitioner made payment of rupees four lacs and now rupees three lacs is only due which he is ready

to pay.

It is submitted by learned counsel for the complainant that the complainant insists that rupees seven lacs is due against the petitioner.

The petitioner undertakes to deposit Rs.3,00000/- before the learned court below within four months which will be invested in some fixed deposit scheme in connection with the present case which will be subject to the result of the case.

Considering the nature of dispute, on deposit of Rs.3,00000/-, let the above named petitioner be released on provisional anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Patna in connection with Complaint Case No. 1425C of 2012 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail will be confirmed by the learned court below on deposit of the aforesaid amount



within four months.

(Dinesh Kumar Singh, J)

Anil/-

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