

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19804 of 2015

Arising Out of PS.Case No. -20 Year- 2015 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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Ratnesh Kumar Son of Sri Ram Ekwah Sah resident of Village- Majrohi,
P.S. Desri (Sahadai O.P), Distt- Vaishali at Hajipur, Presently residing at
Hathsarganj Ward No. 2, P.S.- Town Hajipur, District- Vaishali at Hajipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Adv

For the Opposite Party/s : Mr. Shashi Shekhar Sharma, Adv

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 18-08-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-409, 420, 506 and 34 of the Indian Penal Code and 138 of the N.I. Act, when this Court would find that the cheque in question of Rs. 20,000/- as alleged in the complaint petition was not signed by the petitioner, the rest of the allegation of the complainant against the petitioner, that he had either introduced or on his recommendation the complainant has purchased debentures of the company, which cannot disentitle him

to claim the privilege of anticipatory bail, specially when he also has got no criminal antecedent.

Considering all these aspects, this Court would direct that if the petitioner namely, **Ratnesh Kumar**, surrenders within a period of four weeks from today, he would be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, Vaishali at Hajipur** in connection with **Hajipur Town P.S. Case No. 20 of 2015**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that he is accused in any other criminal case, he shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the

address of the petitioner.

(iii) That the bailor shall also state on affidavit that they will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

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