

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39162 of 2015

Arising Out of PS.Case No. -401 Year- 2014 Thana -GAYA KOTWALI District- GAYA

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Vicky @ Saiyad Md. Saif Alam son of Md. Khursid, resident of Mohalla-
Gewal Bigha, Police Station- Rampur, District- Gaya. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kr. Sinha, Advocate

For the Opposite Party/s : Mr. B.M.P.Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 28-09-2015

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Kotwali P.S. Case No. 401 of 2014, disclosing offences under Sections 420, 467, 468/34 of the Indian Penal Code.

It appears from the submission made on behalf of the petitioner that a case for the offence punishable under Section 138 of the N.I. Act had been instituted against the informant of the present case vide Kotwali P.S. Case No. 371 of 2014 whereafter the present case came to be instituted making an allegation that the petitioner stole away two cheques, which were left signed by the informant's husband and filled up the amount of Rs. 40 lacs. He further submits that in the case registered for the offence

punishable under Section 138 of the N.I. Act, the informant has been granted anticipatory bail. He further contends that it is purely a business dispute between the parties.

Keeping in mind the submission as aforesaid, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 401 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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