

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42929 of 2016

Arising Out of PS.Case No. -199 Year- 2014 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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Viveka Nand Gupta Son of Sunil Gupta Resident of Village - Madhepura
(Gulzarbagh) Ward No. 20, P.S. - Madhepura, District : Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 01-12-2016 Heard Mr. Pramod Mishra for the petitioner and Mr. M.
Dayal, APP for the State.

The petitioner prays for anticipatory bail in Harnaut P.S.
Case No. 199 of 2014 registered under Sections 405, 420 and 506
of the Indian Penal Code.

According to the complaint which was later treated as an
FIR under Section 420 of the Indian Penal Code, a sum of Rs.
40,000/- was given to the petitioner by the informant in his
account, but was not paid. Subsequently, some more money was
also given to the petitioner by the informant, which was not paid.

Learned counsel for the petitioner submits that even
according to the FIR, both were friends and residing in Delhi in
one room. The petitioner is ready and willing to pay certain
amount for securing the privilege of anticipatory bail as directed
by this Court.



Considering the above, let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda (Biharsharif) in Harnaut P.S. Case No. 199 of 2014 subject to the condition as laid down under Section 438(2), the code of Criminal Procedure with further condition that:

- (i) One of the bailors shall be his own/close family member of the petitioner.
- (ii) The petitioner shall appear in person on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.
- (iii) Along with the bail bonds, the petitioner shall enclose a Bank Draft in the sum of Rs. 20,000/- payable to the complainant or his father which the complainant or his father shall be entitled to draw subject to result of the case.

The payment so made, however, shall be without prejudice to his right and contentions in the case and abide by the final outcome of the case.

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(Kishore Kumar Mandal, J)

