

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5991 of 2016

Arising Out of PS.Case No. -1204 Year- 2008 Thana -MUZFFARPUR COMPLAINT
CASE District- MUZAFFARPUR

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Meena Gupta, W/o Jeevan Prasad Gupta, resident of
Mohalla- Banswariya Chowk, P.O.- Mehsaul, P.S. & District-
Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shailesh Kumar Gupta, S/o Late Tejnarayan Pd. Gupta,
resident of Mohalla- Yadupati Road, Banaras Bank Chowk,
P.S.- Town, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Adv.
For the State : Mr. Sanjay Kr. Singh (A.P.P.)
For O.P.No.2 : Mr. Syed Firoz Raza, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

3 30-03-2016 Heard learned counsel for the petitioner,
learned Additional Public Prosecutor for the State and
learned counsel for the opposite party No.2.

 This application, for grant of anticipatory bail,
arises out of Muzaffarpur Complaint Case No.1204 of
2008, disclosing offences under Sections 420 and 406 of

the Indian Penal Code and Section 138 of the Negotiable Instrument Act.

The gist of the allegation against the petitioner is that she had issued a cheque worth Rs.3,00,000/- in favour of opposite party No.2, which stood dishonored because of insufficiency of fund.

Upon appearing of learned counsel for the petitioner and opposite party No.2, it has transpired that admittedly out of said amount of Rs.3,00,000/-, the petitioner had paid a total amount of Rs.1,00,000/- to opposite party No.2.

Learned counsel for the petitioner submits, on the basis of instructions received from the petitioner, that she is ready to pay the rest amount of Rs.2,00,000/- to opposite party No.2, within a period of one month from today.

Learned counsel for opposite party No.2 submits that he is entitled for some interest also for the delay caused.

I need not go into that aspect for the present.

Considering the facts and circumstances of the case and the submissions made on behalf of the petitioner, this application is allowed. Let the petitioner, abovenamed, in the event of her arrest or surrender

before the court below within six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **Smt. Divya Vasistha, learned Sub-Judge-12, Muzaffarpur,,** in connection with **Complaint Case No.1204 of 2008 (Tr. No.458 of 2015)**, 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 herself before the police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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