

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13600 of 2016

Arising Out of PS.Case No. -2073 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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Jai Prakash Singh, son of Sri Narayan Singh, resident of village-
Chintamanpur, P.S.- Pipra, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Madhusudan Prasad Shrivastava, Son of Late Lalan Prasad, resident of
village- Near Madhubani Khadi Bhandar Shop, P.S.- Motihari Town,
District- East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.
For the Opposite Party no.1 : Mr. C.Sen Pd.Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 09-05-2016 Heard.

The petitioner apprehends his arrest in a criminal prosecution based on a complaint petition for the offences under Sections 420, 406 and 504 of the Indian Penal Code as also under Section 138 of N.I. Act.

Though the petitioner is named in the complaint petition vide Annexure-1, but taking into consideration the fact that the entire prosecution case is based on account of business transaction and further taking into consideration the fact that the petitioner is said to be the first offender, this Court is inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail. Accordingly, his prayer for grant of anticipatory bail is allowed.

In the event of his arrest or surrender in the court below within a period of four weeks from today, let the above named petitioner be enlarged on bail on furnishing bail bond of

Rs. 25,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran at Motihari in connection with Complaint Case No. 2073 of 2013, subject to the condition as laid down under Section 438(2) of the Cr.P.C. and subject to further conditions that:

(A) One of the bailors must be government servant or close family members of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,

(B) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;

(C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

Arvind/-

(Birendra Prasad Verma, J)

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