

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23175 of 2017

Arising Out of PS.Case No. -645 Year- 2016 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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1. Anil Sharma @ Anil Kumar, son of Late Deoki Singh, resident of
Village- Purushottampur, Police Station- Ghosi, in the district of Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Shyam Nandan Sharma, son of Late Kamla Prasad Singh, resident of
Village- Okari, Police Station- Ghosi, in the district of Jehanabad.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Akhileshwar Prasad, Sr. Advocate
Mr. Bimal Kumar, Advocate

For the Complainant : Mr. Ajay Kumar Thakur, Advocate
Mr. Ravi Ranjan, Advocate
Mr. Nilesh Kumar, Advocate

For the Opposite Party : Mr. Anish Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 19-05-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 420/406 of the
Indian Penal Code and Section 138 of the Negotiable Instrument Act.

The complainant had lent five lacs to the petitioner
and the petitioner had promised to refund the same with interest
but the petitioner did not refund and the cheque issued by the
petitioner bounced.

Submission of the petitioner is that the cheque of the
petitioner had missed which the petitioner reported to the police as



well as to the bank vide Annexure-3 series. Further submission is that there is no evidence of payment of such a huge amount to the petitioner.

Learned counsel for the complainant opposed the prayer for bail.

Considering the aforesaid fact, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 learned Chief Judicial Magistrate, Jehanabad/successor Court in connection with Complaint Case No. 645 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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