

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38278 of 2017

Arising Out of PS.Case No. -129 Year- 2016 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

=====

Sharwan Kumar, Son of Ramdev Mahto, R/o Village- Gopalpur, P.S.-
Pakribarwan, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Rajgir P.S. Case
No. 129 of 2016 instituted for the offence under Sections 420 and 406
of the Indian Penal Code.

It has been submitted on behalf of the petitioner that there
is allegation that he gave Cheque of Rs.6,00,000/- to the informant
which bounced but no any legal notice was served to the petitioner and
case has not been instituted under Section 138 of N.I. Act. It has further
been submitted that he has given the Scorpio vehicle bearing
Registration No. BR 27 C-2420 to the complainant which the
complainant refused to return to the petitioner.

Be that as it may, from the allegation in the complaint
filed by the complainant which was sent to Police Station under Section
156(3) Cr. P.C., it appears that the grievance as raised by him is civil in



nature.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Rajgir P.S. Case No. 129 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Nalanda at Biharsharif, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

