

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55553 of 2017

Arising Out of PS.Case No. -495 Year- 2015 Thana -GANDHIMAIDAN District- PATNA

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1. Dayanand Rai S/o Harihar Rai, R/o Village- Chakoli, P.S.- Mahua,
District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Gandhi Maidan P.S.
Case No. 495 of 2015 instituted for the offence under Sections-406,
420, 120B of the Indian Penal Code.

It has been submitted on behalf of the petitioner that there is
no description of cheque given in the written report.

In the written report, there is allegation that this petitioner
issued cheque of Rs. 18,72,000/- for different amount and those
cheques got bounced and when the informant made request to make
payment of due amount, then he flatly refused.

Counsel for the petitioner has submitted that he has falsely
been implicated in this case as earlier the petitioner had filed Complaint
Case No. 4147 of 2014 before the learned Chief Judicial Magistrate,
Vaishali on 24-12-2014 against the manager and in charge of the said



company in which, cognizance has also been taken for the offence under Sections-406, 420, 418, 323, 504 of the Indian Penal Code.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Gandhi Maidan P.S. Case No. 495 of 2015 to the satisfaction of Sri Javed Ahmad Khan, learned Sub Judge VI-cum-Additional Chief Judicial Magistrate, Patna subject to condition as laid down u/S 438(2) of the 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)

A.K.V./-

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