

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10055 of 2017

Arising Out of PS.Case No. -260 Year- 2015 Thana -BUXAR INDUSTRIAL District- BUXAR

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1. Jatadhari Paswan @ Jatadhari Ram, son of Lalan Ram &
 2. Ramdhari Paswan @ Ramdhari Ram, son of Lalan Ram, both resident of village-Bakulhatapatti, P.S.-Simari, District- Bxuar
- Petitioner/s

Versus

1. The State of Bihar &
2. Rajeev Kumar, son of Harendra Kumar, resident of village-Ibrahimpur Piro, Ward No.7, Niranjapur, P.S.-Buxar (Industrial), Distict- Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 01-05-2017 Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Buxar (Industrial) P.S. Case No.260 of 2015 instituted for the offence under Section(s) 406, 420 Indian Penal Code and Section 136 of the Negotiable Instrument Act.

Notice was issued to the Opposite Party No.2, which has validly been served, but none appears on behalf of the Opposite Party No.2.

It is alleged in the written report that cheque of ₹99,765/- was given by the petitioner No.1 to the informant, which was dishonoured.

It has been submitted on behalf of the petitioners that no notice of dishonour of cheque was ever given by the



informant to the petitioners. From the written report also, it does not appear that the dishonoured cheque has been enclosed. Case has been filed by the informant directly in the police station.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Buxar (Industrial) P.S. Case No.260 of 2015, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar, 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) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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