

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56778 of 2017

Arising Out of PS.Case No. -1314 Year- 2015 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Sudama Dubey son of Late Viswanath Dubey Resident of village -
Khiriya Ghat Bariya Road, Behind of Bhaskar Medicine, New Basti, P.S. -
Bariya, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Harishankar Mishra son of Late Keshav Mishra Resident of Village -
Kalibag Betiya, Bulaki Singh Chowk, Ward No. 11, P.S. - Betiya Nagar,
District - West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur

For the Opposite Party/s : Mr. Sri Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Complaint Case No.
1314C of 2015 instituted for the offence under Sections-420, 406, 504
of the Indian Penal Code.

It has been submitted that both the informant and petitioner
are doing medicine business. It is stated that Rs. 38,000/- was already
paid by the petitioner to the informant. The informant has levelled
allegation against the petitioner that Rs. 38,000/- was due and he issued
cheque for the aforesaid amount which got bounced. But the
complainant has not enclosed the copy of the cheque along with cheque
return memo, which has been given to the petitioner.

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 Complaint Case No. 1314C of 2015 to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah 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)

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