

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.68097 of 2018**

Arising Out of PS. Case No.-117 Year-2018 Thana- BUNIYAD GANJ District- Gaya

OM PRAKASH @ JAIPRAKASH GUPTA @ OMPRAKESH GUPTA Son  
of Late Shyamlal @ Late Shyamlal Gupta, Resident of Village- Manpur  
Sangat Ke Pas, P.S. Buniyad Ganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Lilawati Singh

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      30-11-2018                      Heard the parties.

The petitioner seeks regular bail in connection with  
Buniyad Ganj P.S.Case no.117 of 2018 dated 13.6.2018  
registered for offences punishable under Sections 138 of the N.I.  
Act.

Allegation against the petitioner is that he has purchased  
rice of Rs.1,63,000/- and gave a cheque to the informant that  
bounced on presentation.

Submission of the learned counsel for the petitioner is  
that as a matter of fact the petitioner has taken loan from the  
informant and in view of that he has given a cheque and that  
has been presented before the bank without any signature of the  
petitioner. It is further submitted that he is in custody since



26.6.2018.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM VIIIth, Gaya in connection with Buniyad Ganj P.S.Case No.117 of 2018.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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