

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69583 of 2018

Arising Out of PS. Case No.-3791 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Sunita Kumari Wife of Jagat Prasad Resident of Village- Gonwan, P.S. Noubatpur, District- Patna, Present Address:- Resident of Village- M/S Sunita Pustak Bhandar Sri Market (Jai Ram Bazar), Khagaul, Distt. Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Upendra Kumar Son of Jay Narayan Prasad Resident of Sarari, P.S. Naubatpur, Distt. Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-12-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of a Complaint Case No. 3791 of 2017, disclosing offences under Sections 323 and 386 of the Indian Penal Code.

It is alleged in the complaint petition that the complainant runs a school, whereas the petitioner is a bookseller and, in that capacity, the complainant had purchased books worth Rs. 62,000/- from the petitioner and issued a cheque of Rs. 62,000/- which stood dishonoured. It is further alleged that when the petitioner and the complainant were quarreling over non-payment of the cheque amount at a public place, the police intervened and made the complainant to pay the said cheque



amount. The complainant alleges that he was taken to the police station and first kept in the lock-up for three days and was forced to pay the amount.

Considering the nature of accusation, this application is allowed. Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Patna in Complaint Case No. 3791 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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