

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32781 of 2018**

Arising Out of PS.Case No. -283 Year- 2014 Thana -GAYA COMPLAINT CASE District- GAYA  
=====

1. Abdul Rais Khan S/o Mauli Khan, R/o Vill.- Khajuri, P.S.- Wazirganj,  
District- Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Ramotar Singh S/o Late Dashrath Singh, R/o Vill.- Karisowa, P.S.-  
Wazirganj, District- Gaya.

.... .... Opposite Party/s  
=====

**Appearance :**

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi

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

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

4      10-09-2018      Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.283 of 2014 , registered for offences punishable under Sections 420, 406, 467, 468, 471 of the Indian Penal Code and Section 138 of the N.I. Act.

Allegation against the petitioner is that he has taken Rs.1,21,400/- from the complainant for employment of the son of the complainant and thereafter he has not provided job and when the complainant demanded money he gave a cheque which bounced.

Submission of the learned counsel for the petitioner is that as per the complaint petition itself legal notice was given on



21.10.2013 but the case has been lodged after four months, which is against the statutory provision of the N.I.Act.

Heard learned A.P.P. and the learned counsel for the complainant. They have opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released 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 CJM, Gaya in connection with Complaint Case No.283 of 2014, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

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 investigation of the case and make himself available as and when required by the Police, otherwise, 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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