

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46936 of 2018

Arising Out of PS. Case No.-748 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Praphulla Chandra Pathak @ Praphull Chandra Pathak, S/o Late Rishi Chandra Pathak, R/o Vill- Nagar Panchayat Shivhar, Ward No.3, P.S. Dist- Shivhar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sanjay Kumar, S/o Late Kedar Nath Prasad, R/o Muhalla- Chiraiyatadh, Devi Sthan Near Postal Park, P.S.- Jakkanpur, Dist- Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Dr. Kamal Deo Sharma, Advocate
For the State	:	Mr. Sakir Ahmad, APP
For opposite party No.2	:	Mr. Ansul, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 07-09-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Section 420 of the I.P.C. and Section 138 of the N.I. Act.

Allegation is that the petitioner cheated the complainant by grabbing the money.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There was a business transaction between the petitioner and the



complainant and the cheque issued by the petitioner was misused by the complainant. It is further submitted on behalf of the petitioner that the petitioner is ready to deposit an amount of Rs.1 lac in the court below, which shall be subject to the final disposal of the case. The offer made on behalf of the petitioner is accepted by the counsel for the complainant.

On behalf of the State, it is submitted that the petitioner is named in the complaint case.

The petitioner is directed to deposit an amount of Rs.1 lac in the court below within a period of four months, which shall be subject to the final disposal of the case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be **released on provisional anticipatory bail** on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Patna in connection with Complaint case No.748(c) of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the petitioner deposits the aforesaid amount in the court below, the provisional anticipatory bail granted to



the petitioner shall be confirmed by the court below itself.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

