

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9243 of 2019

Arising Out of PS. Case No.-67 C Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Satya Narayan Tatia @ Satya Narayan Tantia, aged about 83 years, Male, Son of Late Kanhaiyalal Tatia, Resident of B -12, Patliputra Colony, Near Vivekanand Park, P.S.-Patliputra, Town and District-Patna-800013.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ambika Prasad, aged about 57 years, S/o Late Puneshwar Prasad, R/O Vill-Dhamaul, P.S.- Parsa Bazar, Distt- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv
For the Opposite Party/s : Mr.Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and learned

APP representing the State.

Petitioner is seeking anticipatory bail in connection with Complaint Case No. 67 (C) of 2017 registered for the offences punishable under Sections 323, 341, 379, 384, 406, 420 and 34 of the Indian Penal Code and Section 138 of the Negotiable Instrument Act.

It appears from the complaint petition as well as the impugned order that the allegation of issuance of three cheques are specifically made against accused no.1, Surendra Kumar Srivastava. It appears that the petitioner has been involved in this case by alleging that the accused no.1, Surendra Kumar



Srivastava had issued three cheques in terms of Non Judicial Stamp in token of receipt of Rupees Twenty Six Lakhs from the complainant in presence of the present petitioner. Further allegation is that when the complainant went to the house of accused no.2 on 08.01.2017 the accused persons assaulted the complainant with fists and slaps and threatened him.

In Paragraph 6 of the application it is stated that the petitioner is 80 years old and has been involved in this case because once upon a time accused no.1 was tenant of this petitioner.

Learned APP for the State is present and has opposed the prayer for bail.

In the given facts and circumstances of the case, where it is the case of the complainant that the cheques in question were issued by accused no.1 and had signed on the Non Judicial Stamp paper as also considering the age of the petitioner and that he has no criminal antecedent, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-XII-cum-ACJM, Patna



in connection with Complaint Case No. 67 (C) of 2017, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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