

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17432 of 2019

Arising Out of PS. Case No.-950 Year-2017 Thana- COMPLAINT CASE District- Jamui *

GAUTAM KUMAR Son of Late Budhinath Singh Proprietor Sanjay Shiksha
Mandir, Jamui near Registrar Office, Jamui, P.S. and District Jamui.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Vinay Kumar Singh Son of Udit Narayan Singh, Resident of Village -
Karma, P.S. Sikandra, District Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 27-03-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Complaint Case No. 950C of 2017
registered for offence punishable under sections 138 of the N.I.
Act and sections 420 and 422 of the Indian Penal Code.

In the name of providing job, the complainant has
paid Rs.3,00,000/- (three lacs) but neither the petitioner has
arranged job nor returned the money whereafter he has given a
cheque of Rs.3,00,000/- to the complainant which was bounced
later on when it was produced before the Bank.

The learned counsel for the petitioner submits that



the petitioner is ready to deposit the entire amount in the court below.

In such view of the matter, the provisional bail is granted to the petitioner and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on provisional bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Jamui in connection with Complaint Case No. 950C of 2017, subject to the conditions as laid down under section 438 Cr.PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. The petitioner will deposit the entire amount in six installments. First he will deposit Rs.50,000/ (fifty thousand) within 20 days from today and thereafter he will deposit the rest amount in five equal installments in duration of one month gap. If he deposits the entire amounts then his bail will be confirmed. In the event of failure on deposition of any instalment, the interim



relief granted to the petitioner will be treated to have been
withdrawn.

(Shivaji Pandey, J)

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