

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17353 of 2019

Arising Out of PS. Case No.-75 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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Harishchandra Prasad @ Harichandra Prasad, Son of Balasundar Chauhan
Resident of Village- Umrau Bigha, P.S.- Hisua, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Devanand Prasad, Son of Late Prabhu Mahto, Resident of Village-
Dakhingaon, P.S.-Wazirganj, Dist.- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Complaint Case No. 75 of 2017,
registered for the offence punishable under Section 406 of the
Indian Penal Code.

It appears from the order sheet of the Sessions
Judge that there was a dispute between the parties and a
Panchayati was held in which it was decided that the petitioner
is required to make payment of Rs. 30,000/- to the complainant
and the petitioner has given a cheque of Rs. 30,000/-, later on,
the said cheque was dishonoured.

Learned counsel for the petitioner submits that he



is ready to pay Rs. 30,000/- to the complainant.

Looking to the statement made at the Bar, let the petitioner, above-named, be released on **provisional anticipatory bail** in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate- Ist Class, Gaya, in connection with Complaint Case No. 75 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a further condition that Rs.30,000/-will be deposited by the petitioner before the court below within a period of four weeks from today. If the petitioner deposits Rs. 30,000/-, the court below would make the provisional bail absolute. In the event of failure to deposit the same, the present order will be treated to be withdrawn.

However, the aforesaid deposit by the petitioner would be subject to the result of the criminal case concerned.

(Shivaji Pandey, J)

V.K.Pandey/
S. Katyayan/-

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