

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77114 of 2018

Arising Out of PS. Case No.-3269 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Parmanand Pd. Aged about 65 years, S/o Late Bhuvneshwar Pd., Resident of
House No. 37-A, Morcha Gali, Nima, P.S.- Magadh Medical College, District
Gaya.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Tilak Sao, Advocate
For the State : Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 420 of the Indian Penal Code and Section 138
of the Negotiable Instrument Act registered in connection with
Complaint Case No. 3269(C)/2017.

3. It is submitted that the petitioner has been falsely
implicated as three cheques in question were given to the
complainant merely to avoid future dispute. It is therefore submitted
that no case of cheating is made out against the petitioner. The
petitioner claims clean antecedents.

4. Learned counsel for the complainant appears and
opposes the anticipatory bail petition.

5. Be that as it may, in the event of the petitioner's arrest
or surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner be
released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)
with two sureties of like amount each to the satisfaction of learned



Sub-Judge-XIV-cum-Additional Chief Judicial Magistrate, Patna, in connection with Complaint Case No. 3269(C)/2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions--

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

BT/Chandran

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