

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42874 of 2019

Arising Out of PS. Case No.-120 Year-2012 Thana- PATNA COMPLAINT CASE District-
Patna

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JAI PRAKASH KUMAR @ JAI PRAKASH Son of Sri Aannadev Singh
Resident of Village - Bauaa Harpura, P.O.- Mahmadpur, P.S.- Bikram, District
- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dilip Kumar Giri Son of Sri Rajendra Giri Resident of Village - Srirampur,
P.S.- Bihta, District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Prasad Singh
For the Opposite Party/s : Mr.Ashok Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 11-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Complaint Case No. 120 (C) of 2012, registered for the offences
punishable under Sections 420 and 406 of the Indian Penal
Code, including Section 138 of the N.I. Act.

Learned counsel, appearing on behalf of the
petitioner, contends that no cheque, as alleged in the complaint
petition, was ever issued by the petitioner in favour of the
complainant. He has drawn my attention to the observation
made by the learned Additional Sessions Judge, Danapur in his
order dated 15.05.2019, whereby he has rejected the prayer for



anticipatory bail, wherein he has mentioned that the cheque was not bearing the signature of the petitioner.

Without going into the correctness of the said observation made by the court below, and considering the nature of the dispute, this application is allowed.

Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned A.C.J.M. Danapur in connection with Complaint Case No. 120 (C) of 2012, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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