

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51394 of 2019

Arising Out of PS. Case No.-29415 Year-2014 Thana- PATNA COMPLAINT CASE District-
Patna

=====

JITENDRA PRASAD Son of Late Ram Chandra Prasad R/o - Maida Tola,
Bibiganj,P.O-Danapur Cant., P.S.- Danapur, District- Patna-801503

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ritesh Kumar Son of Sri Raj Kishore Pandey Resident of Gardanibagh Road
No.2, Quarter No. 35, Near Pani Tanki, P.S-Gardanibagh, Town and Dist-
Patna 800001 and at present residing at Village- Betaura, P.O and P.S- Beur,
Town and Dist-Patna 800 002

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amitabh Sohan
For the Opposite Party/s : Mr. Nand Kishore Prasad

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 406/34 IPC and Section 138 of the N.I. Act registered in
connection with Complaint Case No. 29415(C)/2014.

3. It is submitted that the petitioner has been falsely implicated
and the ingredients of the offences alleged are not attracted as
concerns him. Nothing has been entrusted to the petitioner who
merely happens to be a witness to the agreement nor has issued the
cheque to the informant. Co-accused Bhupendra Acharya (B. Acharya)
who has issued the cheque much later on is already in custody. The
petitioner claims clean antecedents.

4. 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 Smt. Priya Shekhar, learned J.M.Ist Class, Patna in connection with Complaint Case No. 29415(C)/2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following 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. 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.

(Vikash Jain, J)

Chandran/-

U		T	
---	--	---	--

