

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80937 of 2019

Arising Out of PS. Case No.-3139 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

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SHAILENDRA JAISWAL Son of Late Laxmi Narayan Jaiswal Resident of
Mohalla-Arya Kumar Road, Machhli Market, P.S.-Kadamkuan, District-
Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Smt. Ragini Singh Wife of Late Madneshwar Singh Permanent resident of
Barhaiya House, New Lalji Tola, Police Station-Gandhi Maidan, District-
Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mithlesh Kumar Gupta
For the Opposite Party/s : Mr.Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-12-2019 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in
connection with Complaint Case No. 3139(C) of 2015
registered under Sections 420 of the Indian Penal Code and
Section 138 of the N.I. Act.

Learned counsel for the petitioner submits that the
amount has already been paid to the complainant, and for
purpose of anticipatory bail, learned counsel submits that
without prejudice to his rights and contentions he is ready to
deposit Rs. 40,000/- in the court below subject to result of the



case.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein the substantial accusation is with regard to dishonour of cheque of Rs. 40,000/- in the present case, though learned counsel for the petitioner has contended that this amount has already been paid to the complainant, for purpose of anticipatory bail, learned counsel submits that without prejudice to his rights and contentions he is ready to deposit Rs. 40,000/- in the court below subject to result of the case, in that view of the matter, let the above-named petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail on deposit of Rs. 40,000/- in the court below with bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned J.M. - 1st Class, Patna, in connection with Complaint Case No. 3139(C) of 2015, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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