

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20308 of 2020

Arising Out of PS. Case No.-152 Year-2019 Thana- SHEKHPURA COMPLAINT CASE
District- Sheikhpura

AJAY KUMAR SARRAFF Son of Late Ramdas Sarraff Resident of Village -
Kamishanari Bazar, P.S.- Sheikhpura, Distt - Shiekhpora.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-07-2020 The matter has been taken up through virtual court proceeding.

Since, the physical court is not functional, due to present pandemic Covid-19, the present application has been listed with defects.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of functioning of the court in physical mode.

If the defects are not removed within the said period, the office will again place the matter on board.

Heard learned counsels for the petitioner and the



State.

The petitioner is apprehending his arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offence punishable under Section 420 of the IPC.

The prosecution case, as per the complaint petition is to the effect that the complainant Devanand Prasad gave a friendly loan of Rs. One lac to the petitioner for a period of one month, for which, the petitioner handed over a post dated cheque to the complainant but the petitioner did not return back the alleged loan amount and subsequently the cheque issued by the petitioner also got dishonoured.

It is submitted by learned counsel for the petitioner that there is no proof with regard to payment made to the petitioner by the complainant and the post dated cheque was handed to the complainant for some other purpose, but the same has been misused.

Learned APP submits that the cheque issued by the petitioner got dishonoured.

Considering the nature accusation, let the petitioner above named be released on anticipatory bail for the present provisionally for a period of six months in the event of arrest or



surrender before the learned Court below within a period of five weeks on furnishing one surety to the satisfaction of the learned C.J.M., Sheikhpura in connection with Complaint Case No. 152C of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

Let the learned Court below issue notice to the complainant and on his appearance, learned Court below will try to get the issue mediated and on resolution of the issue between the parties, the provisional bail of the petitioner will be confirmed by the learned Court below on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned C.J.M., Sheikhpura in connection with Complaint Case No. 152C of 2019.

The learned Court below will be at liberty to extend the period of provisional bail further if the court proceeding in physical mode will not resume in next six months.



Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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