

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23319 of 2020

Arising Out of PS. Case No.-694 Year-2018 Thana- TURKAULIYA District- East
Champaran

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1. USHA DEVI, W/o Umesh Prasad,
 2. Umesh Prasad, S/o Kanchan Sah,
Both Resident of Village- Chatiya, P.S.- Malahi, District- East Champaran,
Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-10-2020 Heard learned counsel for the petitioners and the
State.

The petitioners are apprehending their arrest in connection with Turkauliya (Raghunathpur) P.S. Case No. 694 of 2018 for the offence under Sections 406 and 420 of the Indian Penal Code and Section 138 of the N.I.Act.

Learned counsel for the petitioners submits that the petitioners have got no criminal antecedent He further submits that the present case arises out of dishnour of cheque. He also submits that in fact blank cheque was obtained by the informant in connection with financial transaction and it was presented before the Bank for realizing the amount, which was the subject matter of transaction between the petitioners and the informant.



Considering the fact that the basic case relates to commercial transaction and dis-honour of cheque, the petitioners named above, in the event of arrest or surrender before the court below within one month from the date of communication of this order, are directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Turkauliya (Raghunathpur) P.S. Case No. 694 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the further condition that **each** of the petitioner shall deposit Rs.50,000/- (Fifty thousand) cash in the court below and the same shall be abide by the final outcome in the trial i.e. if the petitioners are acquitted the amount of Rs.50,000/- shall be refunded in favour of the petitioners, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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