

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23313 of 2020

Arising Out of PS. Case No.-393 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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NUTAN KUMARI, W/o Sandeep Kumar, Proprietor M/S. G. S. Automobiley,
R/o Near Param Gyan Niketan School, Brahmyoni Road, Brahm Asthan,
Maranpur, P.S.- Vishnupad, Distt- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. M/S Kesaria Automech, through its Proprietor Syed Serajul Hasan Aftab (M), S/o Late Nurul Hassan, M/S Kesaria Automech GSTIN Regd. of at Sector- A, New Azimabad Colony, P.S.- Bahadurpur, Dist- Patna, Pin Code- 800006

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma, Advocate
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

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

The petitioner, who is a lady, is apprehending her arrest in connection with Complaint Case No. 393 C of 2019 for the offence under Sections 420/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent. He further submits that basically the present case is a dispute pertaining to the commercial transaction and not a criminal case. He also submits that in the matter, which involves the settlement of account, the device involved by the opposite party no.2 is a pressure tactics.

Considering the fact that the petitioner, who is a lady,



has got no criminal antecedent and the case was registered on the basis of disowner of cheque due to insufficient fund, the petitioner named above, in the event of arrest or surrender before the court below within one month from the date of communication of this order, is directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate-Ist Class, Patna City, Patna in connection with Complaint Case No. 393 C of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the further condition that the petitioner shall deposit Rs.50,000/- (Fifty thousand) cash in the court below within a period of two months from the date of release and the same shall be abide by the final outcome in the trial i.e. if the petitioner is acquitted the amount of Rs.50,000/- shall be refunded in favour of the petitioner, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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