

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74436 of 2019**

Arising Out of PS. Case No.-310 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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BASANT SHARMA Son of Late Ram Jatan Sharma Resident of Village /
Mohalla - Tetariya, P.S.- Konch, District- Gaya, Bihar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Santosh Kumar Son of Late Baijnath Sharma Resident of Village/ Mohalla -
Nutan Nagar, P.S.- Civil Lines, District- Gaya, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 17-01-2020 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.310 of 2017, registered for offences
punishable under Sections 406 & 420 of the Indian Penal Code
and Section 138 of the N.I. Act.

As per FIR, it is stated that the petitioner had issued two
cheques on 8.10.2016 and on production on 22.11.2016 that
bounced due to insufficient money and the notice was given on
9.2.2017, as such non-compliance of provisions of Section 138
of the N.I. Act, whereas the learned counsel for the O.P.No.2
opposes this application for anticipatory bail on the ground that



the report was submitted on 23.1.2017 and within one month,
he has given notice.

Heard learned A.P.P. also.

Having heard both sides and considering the nature of
allegation, let the petitioner, above named, in the event of
arrest or surrender before the learned court below, be
released on bail on furnishing bail bond of Rs.25,000/- (Twenty
Five Thousand) with two sureties of the like amount each to the
satisfaction of the learned CJM, Gaya in connection with
Complaint Case No.310 of 2017, subject to conditions as laid
down under Section 438 (2) of the Code of Criminal Procedure,
with further condition to co-operate in the disposal of the trial
and appear as and when required, otherwise the bail bond shall
be cancelled.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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