

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9610 of 2020

Arising Out of PS. Case No.-1327 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

=====

Brajesh Kumar Gupta @ Brijesh Kumar Gupta, male, aged about 61 years,
Son of Late Raghubir Prasad, R/o - Mahabat Toli, Bettiah, P.S. - Bettiah,
District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ashok Kumar, Son of Dr. Narayan Bhagat, Proprietor of M/S Swarnim Enterprises, Kolhua Paigambarpur, P.S. - Ahiyapur, District - Muzaffarpur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Baidya Nath Thakur, Adv.
For the O.P. No. 2	:	Ms. Aditi Hansaria, Adv.
For the State	:	Mr. APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 02-11-2021 Heard Mr. Baidya Nath Thakur, the learned Advocate for the petitioner and Ms. Aditi Hansaria, the learned counsel for the opposite party No. 2. The State is represented by the learned APP.

The petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 1327(C) in



which cognizance has been taken against him under Section 420 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

After some arguments on the merits of the case the learned Advocate for the petitioner became agreeable to deposit the amount of cheque in the Court under the protest and subject to his rights and contentions later.

Considering the submission afore-stated, it is directed that on deposit of Rs. 3,41,250/- within a period of three months by way of demand draft, payable to the Registrar, Civil Court, Muzaffarpur, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Complaint Case No. 1327(C) of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The amount so deposited by the petitioner shall be



invested in an interest bearing deposit scheme renewable after every six months. In case, the petitioner succeeds, the amount along with the interest shall be refunded to him. Otherwise, the amount shall be given to the complainant/opposite party No. 2.

It is made clear that till such deposit of the amount by the petitioner, the interim order passed by this Court shall continue.

With the aforesaid observation/direction, the application stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

U		T	
---	--	---	--

