

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4550 of 2022

Arising Out of Case No.-2593 Year-2018 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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VIVEK SAURAV SON OF RAKESH KUMAR SINGH RESIDENT OF
VILLAGE- POHIYAR, P.S.- SAHDEI (DESARI), DISTRICT- VAISHALI

... .. Petitioner/s

Versus

1. The State of Bihar
2. ANUPURNA DEVI @ MAMTA DEVI WIFE OF NIRBHAY KUMAR
SINGH RESIDENT OF VILLAGE- CHAMARHARA, P.S.- MAHNAR,
DISTRIT- VAISHALI

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Anuj Kumar
For the Opposite Party/s	:	Mr.Yogendra Kumar
		Mr. Sunil Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 24-11-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 406 of the Indian Penal Code and u/s 138 of N.I. Act.

As per prosecution case, this petitioner withdrew Rs. 1,29,50,000/- from the account of complainant and when she demanded money petitioner issued a cheque of Rs. 5,00,000/- but when the cheque was presented before the bank the same became dishonoured due to insufficiency of fund.

By filing supplementary affidavit, it is submitted on behalf of petitioner that petitioner is ready to refund Rs. 5,00,000/- (five lacs) in installments to the complainant. This submission has been made in paragraph – 3 of the supplementary affidavit. In the light of above submission, he makes a prayer for grant of anticipatory bail to the petitioner.



Learned counsel for the informant/O.P.-2 does not oppose the prayer for anticipatory bail.

Accordingly, let the above named petitioner, in the event of his arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, Hajipur in connection with Complaint Case No. 2593 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition the petitioner shall refund Rs. 1,00,000/- (one lac) through Bank Draft to the informant at the time of furnishing bail-bond and rest amount i.e. Rs. 4,00,000/- (four lacs) in four installments shall be refunded through Bank Draft to the informant within a period of one year from the date of furnishing bail-bond, failing which, the learned court below would be at liberty to cancel the bail-bond. The said deposit shall be subject to the final outcome of the case.

(Prabhat Kumar Singh, J)

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