

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48560 of 2021

Arising Out of PS. Case No.-51 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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VIJAY KUMAR GUPTA Son of Late Ramji Sah Resident of Village- Ahbar
Shekh, Tola, Fulturwa, P.S.- Majhauriya, District- West Champaran at present
residing at mohalla- New Kamalnath Nagar, Near Baha Chauk, P.S.- Bettiah,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1
Mr. Gauri Shankar Thakur

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 27-01-2022 Heard learned counsel for the petitioner and the State.
The matter has been taken up through video
conferencing.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 420, 406 of the Indian
Penal Code and u/s 138 of N. I. Act.

As per the prosecution case, this petitioner issued
cheques of Rs. 18,60,000/- in favour of informant but all the
cheques have been dis-honoured as the account was found
closed.

Learned counsel appearing for the petitioner submits
that petitioner is ready and willing to pay Rs. 5 Lakhs to the
informant within six months from the date of his release.
Petitioner is in custody since 16.01.2021 and investigation in
this case is complete.

Learned counsel appearing for the State and the



informant opposed the prayer for bail and submitted that petitioner is habitual offender and as such he does not deserve bail.

Considering the facts of the case, the period of custody of the petitioner and the undertaking given by the petitioner that he will pay Rs. 5 Lakhs to the informant within six months from the date of his release, let the petitioner, above named, be released on provisional bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, West Champaran, Bettiah in connection with Bettiah Town PS case No.51/2020, subject to payment of Rs. 5 Lakhs to the informant in three equal installments within six months after his release and if the petitioner pays the aforesaid amount to the informant within stipulated time, provisional bail granted to the petitioner shall be confirmed by the court below. If the petitioner fails to pay the amount to the informant within the aforesaid period the bail bonds of the petitioner shall automatically be cancelled.

(Prabhat Kumar Singh, J)

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