

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49662 of 2021

Arising Out of PS. Case No.-2646 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Avinash Kumar Singh Son Of Sri Ram Suresh Singh Resident Of Village - 15
G, New Area, Behind Mahesh Academy School Road No.2, P.S.- Aurangabad
Sadar, Distt.- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ravi Bhushan Kumar Son of Nagendra Prasad Resident of Village -
Kaushalya Niwas, Behind MIG 185, Mahavir Nagar, P.O.- Kankarbagh,
P.S.- Patrakar Nagar, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Ashutosh Singh
For the Opposite Party/s :	Mr. Jharkhandi Upadhyay
	Mr. Sunil Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 420 of the
Indian Penal Code and Section 138 of N.I. Act.

Earlier, prayer for anticipatory bail of the petitioner
was rejected vide order dated 22.04.2019 passed in Cr. Misc.
No. 48650 of 2018.

The allegation is that the complainant gave Rs.
20,000,00/- as loan to the petitioner for business purpose and the
petitioner gave four cheques each of Rs. Five lakh to the
complainant. Those cheques were deposited in the bank for



clearance but the said cheques bounced due to insufficient fund in the bank account of the petitioner. In spite of repeated requests made by the complainant, the petitioner did not paid the aforesaid dues to him.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner is now ready to return Rs. 20,00,000/- (twenty lakhs) to the complainant in ten months in equal installments. First installment will be paid at the time of furnishing bail bond.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on **provisional bail** on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. 2646 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The learned court below will confirm the bail bond of the petitioner on submission of the receipt of payment of



amount of Rs. 20,00,000/-on affidavit before the learned court below.

If the petitioner fails to deposit the aforesaid amount within the stipulated period, the complainant will be at liberty to file an application for cancellation of the bail bond before the learned court below.

(Anjani Kumar Sharan, J)

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