

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64617 of 2021

Arising Out of PS. Case No.-2359 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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RAHUL PANDEY Son of Shri Govind Pandey Resident of Ara Garden
Residency, Jagdeo Path, P.S. - Rupaspur, District - Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. PANKAJ PARAG Son of Shri Lal Babu Tiwary Resident of Bangali Tola,
Dhirachak, Anishabad, P.S. Anishabad, District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh
For the Opposite Party/s : Mrs. Dr. Indivar Kumari
Mr. Rakesh Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-03-2022 Heard learned counsel for the petitioner, the State and
the O.P. No.2.

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

It is a case of check bounce. It is alleged that this
petitioner issued three cheques of different amounts in favour of
the complainant but the same were dishonoured.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is submitted that Rs. 55 lacs has already been received
by the complainant and without admitting the petitioner
undertakes to deposit Rs. 10 lacs in the court below for the
purpose of bail within two months of his release. Petitioner is in
custody since 29.07.2021.



Learned counsel appearing for the State and the O.P. No.2 opposed the prayer for bail and submitted that petitioner has got criminal antecedent and he is accused in three other criminal cases.

Considering the facts of the case, the period of custody of the petitioner and undertaking given by the petitioner, 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 Judicial Magistrate, 1st class, Patna in connection with Complaint case No.2359 (C) of 2020, subject to condition that petitioner will deposit Rs. 10 lacs in the court below within two months from the date of his release.

If the petitioner fulfills the aforesaid condition, provisional bail granted to the petitioner shall be confirmed by the court below and if the petitioner fails to fulfill the aforesaid condition, bail bonds of the petitioner shall be cancelled by the court below itself.

(Prabhat Kumar Singh, J)

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