

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81323 of 2019

Arising Out of PS. Case No.-758 Year-2018 Thana- MADHEPURA District- Madhepura

SURYA NARAYAN PRASAD @ SURYA NARAYAN SAH Son of Late Parmeshwary Sah Resident of Village - Madhepura Purani Katchhi Main Road, P.S.- Madhepura, District - Madhepura. At Present resident of Village - Vidyapuri Ward No.- 18, P.S.- Madhepura, District - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gourav Kumar Son of Anil Yadav Resident of Village - Lohiya Nagar Ward No.- 19, P.S.- Madhepura, District - Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 17-11-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State.

At the very outset, learned counsel for the seeks permission to correct in para-1 of this application submitting that Section 138 N.I. Act has not been mentioned.

He is permitted to do so during course of the day.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 406/420 of the Indian Penal Code and Section 138 of the N.I. Act.

By order dated 26.07.2022, notice was issued to opposite party no.2 and it has been received by father of opposite party no.2.



A jointness petition has been filed by learned counsel for the petitioner and in para-3 of the said petition it is stated that opposite party no.2 is living jointly with his father.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. As a matter of fact, a compromise has been entered into between the parties out of Court and the compromise petition has been filed in the learned Court below and on the said compromise petition co-accused, Manju Devi has been granted bail by the learned Court below, the said compromise petition has been annexed as Annexure-2 to the supplementary affidavit. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Madhepura P.S. Case No. 758 of 2018, subject
to the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Anjani Kumar Sharan, J)

Trivedi/-

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

