

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42670 of 2023**

Arising Out of PS. Case No.-347 Year-2021 Thana- NARPATGANJ District- Araria

ANIL YADAV @ ANIL KUMAR YADAV S/O SHRI KAMLESHWARI
YADAV RESIDENT OF VILLAGE- NATHPUR WARD NO 10 PS
NARPATGANJ DIST ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Shivpujan Sahay, Advocate
For the Opposite Party/s :	Mr. Ashok Kumar Singh, APP
	Mr. Harish Jalan, Advocate
	Mr. Pankaj Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 10-08-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State alongwith learned counsel for the informant.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that the petitioner has antecedent of two cases, it is next submitted that for the same offence, two cases have been instituted, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the dispute is purely civil, it is also submitted that the informant alleges that the petitioner had issued a cheque of Rs. 10,00,000/- and the same bounced on



presentation for encashment for which a criminal complaint was filed, in which cognizance was taken under Section 138 of the N.I. Act and the petitioner was enlarged on bail as the offence under Section 138 of the N.I. Act is bailable, it is next submitted that the informant thereafter in order to coerce the petitioner into submission, instituted present FIR and the police in a mechanical manner is also investigating the case.

4. Learned A.P.P. for the State alongwith learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner. However, the learned counsel for the informant is not in a position to rebut the submission of the learned counsel for the petitioner that for bouncing of the cheque already a complaint has been filed in which cognizance has been taken.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Narpatganj P.S.



Case No. 347 of 2021 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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