

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48926 of 2023

Arising Out of PS. Case No.-626 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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PRABHAKAR SINGH BHADORIA Son of Late Vijay Kumar Singh
Resident of village-Panch Gachia, P.S.-Bihra, District-Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. PANKAJ KUMAR RAI Son of Ram Awadhesh Rai Resident of Lane No. 8,
Vijay Nagar, Rukunpura, Bailey Road, P.S.-Rupaspur, District-Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sourendra Pandey
For the Opposite Party/s	:	Ms. Sharda Kumari
For the Complainant	:	Mr. Arvind Tiwary

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 12-10-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State assisted by learned counsel for the

complainant.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Section 406 of the

Indian Penal Code and Section 138 of N.I. Act.

3. The complainant alleged that petitioner took Rs.

5,00,000/- for his sister marriage from his and promised to

return. After some days when on due date, complainant

demanded his money back petitioner gave three cheques of Rs.

1,00,000/- each but got dishonoured.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is ready to return the amount of Rs. 5,00,000/- to the complainant within six months in installments. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the complainant opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the statement made by learned counsel for the petitioner, let the above named petitioner, be released on **provisional bail for eight months**, 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 Complaint Case No. 626(C) of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Learned court below shall confirm the provisional bail of the petitioner after satisfying that the



petitioner has returned the said amount i.e. Rs. 5,00,000/- to the complainant.

8. Complainant is directed to withdraw the case filed in the Court below, if the petitioner return the said amount i.e. Rs. 5,00,000/- to the complainant.

(Anjani Kumar Sharan, J)

anand/-

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