

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50798 of 2023

Arising Out of PS. Case No.-14 Year-2022 Thana- COMPLAINT CASE District- Supaul

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DINESH KUMAR @ DINESH SAH SON OF LATE LAXMAN SAH
RESIDENT OF VILLAGE- ORLAHA, PS- TRIVENIGANJ, DIST-
SUPAUL

... .. Petitioner/s

Versus

1. The State of Bihar
2. KRISHN PRASAD GUPTA SON OF LATE ANIRUDH GUPTA
RESIDENT OF VILLAGE- DAFARKHA, PS- TRIVENIGANJ, DIST-
SUPAUL

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-08-2023 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 323 , 406 of the Indian
Penal Code.

3. It is a case of cheque bounce. Allegation against
this petitioner is of taking the wheat of value of Rs. 4,22,007/-
from the complainant and this petitioner handed over the cheque
of Rs. 50,000/- to the complainant, which bounced.

4. It is submitted that petitioner is ready and willing to
deposit total check bounced amount of Rs. 50,000/- through
bank draft in installments within two months. Rest of the



amount claimed by O.P. No.2 is disputed by the petitioner.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned J . M 1st Class, Supaul in connection with Complaint Case No . 14C of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure in the light of following terms and conditions:-

(i) At the time of furnishing bail bond Rs. 25,000/- shall be deposited through bank draft in the name of O.P. No.2.

(ii) Rest amount of Rs. 25,000/- shall be deposited within two months in two installments through bank draft in the name of O.P. No.2.

(iii) If the petitioner fails to comply with the aforesaid direction of this court, the court below shall be at liberty to cancel the bail bonds of the petitioner.

7. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the



purpose of grant of bail. The amount so deposited by the
petitioner shall be subject to outcome of the case.

(Prabhat Kumar Singh, J)

Kaushik/-

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