

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60679 of 2023

Arising Out of PS. Case No.-59 Year-2023 Thana- KADAMKUAN District- Patna

Roshan Kumar Son Of Sri Prabhat Kumar R/O Jahajji Kathi Kadamkuan Ps-
Kadamkuan, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and the learned
Additional Public Prosecutor (for brevity 'APP') for the State.

2. The petitioner is apprehending his arrest in connection with Kadam Kuan P.S. Case No. 59 of 2023 registered for the offence punishable under Sections 406, 420, 34 of the Indian Penal Code (for brevity 'IPC') and Section 138 of the Negotiable Instruments Act, 1881 (for brevity 'NI Act, 1881').

3. There is allegation that instant petitioner's father had taken some monetary assistance from the informant, to sustained losses incurred in the course of business. Informant is sister of petitioner's father. Petitioner's father thereafter had issued three cheques for returning the amounts to the informant, which was dishonored. He has thereafter refused to acknowledge his dues and it is alleged that the instant petitioner



has also verbally abused the informant, when she was making demands for the amounts.

4. Learned counsel for the petitioner submits that even as per the allegation, the petitioner has no concern with the cheques issued by his father. He has been implicated in this case only because his father had issued the cheques, and there is dispute between his father and father's sister. Petitioner has one criminal antecedents, which arises out of dispute between petitioner and his tenant.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Having regard to the submissions advanced by the petitioner's counsel, nature of allegations, and having regard to the nature of dispute between the parties, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

7. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Rajat Deep, Judicial Magistrate 1st Class, Patna, in connection with Kadam Kuan P.S. Case No. 59/2023, subject to



the following conditions:

(i) That one of the bailors of each of the petitioner will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

Raj kishore/-

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