

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3798 of 2023

Arising Out of PS. Case No.-993 Year-2020 Thana- GAYA COMPLAINT CASE District-
Gaya

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NAWAL KISHORE SHARMA S/O BHARAT SHARMA Resident of village-
Main, P.S.- Main, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nagendra Sharma, Advocate
For the Opposite Party/s : Mr.Rajendra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 22-05-2023 No one appears on call.

The petitioner is apprehending arrest in connection with Complaint Case No. 993 of 2020 under section 420 of the Indian Penal Code and section 138 of N.I. Act.

From the complaint, it transpires that the main allegation is against the son of the petitioner of receiving the amount (Rs. 12,44,000/-) for a piece of land but the execution of land was not done. Further, the allegation of abetment is against this petitioner.

In view of the fact that the amount was received by the son of the petitioner namely Ram Prakash who is the main culprit, the petitioner is an aged person, this Court is inclined to extend him the privilege of anticipatory bail.



Let the petitioner be released on bail in the event of his arrest or surrender within a period of four weeks from the receipt of this order on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya, in connection with Complaint Case No. 993 of 2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the following conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.



With the aforesaid observations, the anticipatory
bail application is allowed.

(Rajiv Roy, J)

Ravi/Kiran

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