

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3218 of 2023**

Arising Out of Case No.-1517 Year-2017 GAYA COMPLAINT CASE District- Gaya

ZAKIR HUSSAIN @ JAKIR HASU HUSSAIN Son of Late Wazir Hussain
Khan R/o South Gandhi Nagar, P.S.- Srikrishnapuri, Town and Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amitabh Sohan, advocate
For the Opposite Party/s : Mr.Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 11-05-2023 Heard learned counsel for the petitioner and the State.

Despite valid service of notice, nobody appears on behalf of
O.P. No.2.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 406, 420 of the Indian
Penal Code and u/s 138 of the N.I. Act.

This is a case of cheque bounce.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. No such occurrence as alleged in the FIR has ever taken
place. The complainant has not disclosed how he knows the
petitioner and why he borrowed money from him. The
complainant has given wrong name of the petitioner in the
complaint petition. It is further submitted that the offence is



triable by Ist class Magistrate and compoundable.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and nature of accusation against the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall 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 Additional Chief Judicial Magistrate X, Gaya in connection with Complaint case No. 1517/ 2017, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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