

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14187 of 2023

Arising Out of PS. Case No.-2082 Year-2012 Thana- VAISALI COMPLAINT CASE
District- Vaishali

MD. NAUSHAD ALI @ NAUSHAD ALI Son of Yunus Master @ Md.
Yunus Alam R/V- Mehdu Khanka Hata, Dumraon, P.S- Dumraon, dist- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sadhana Devi Wife of Shri Sanjay Singh R/V and P.O- Darbha Nagarpal,
P.S- Danapur, Via Sonapur Dist- Saran Proprietor Subhansi Enterprises,
Sonapur at Hazipur

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Pravin Kumar, Advocate
For the State	:	Mr. Shyameshwar Dayal, APP
For Opposite Party No.2	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

11 02-09-2024 Heard learned counsels for the parties.

2. Despite valid service of notice, no one appears on
behalf of the complainant/Opposite Party No. 2.

3. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 406 and
417 of the Indian Penal Code and Section 138 of the Negotiable
Instrument Act.

4. The case of the complainant in brief is that the
complainant is proprietor of Subhansi Enterprises and she is
distributor of Gas to the petitioner's gas company. Petitioner's
company stopped to supply gas to the complainant and after



settlement of the account, total Rs. 6,49,225/- remained dues against the petitioner's company. Thereafter, this petitioner issued three cheque to complainant amounting to Rs. 6,49,225/-, however, all the three cheque were dishonored.

5. By filing supplementary-affidavit, learned counsel appearing on behalf of the petitioner submits that dispute between the parties has already been settled and petitioner has already paid Rs. 1,00,000/- cash and 10 post date cheque to the complainant/Opposite Party No. 2.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

7. Considering the aforesaid facts and circumstances, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned Chief Judicial Magistrate, Hazipur at Vaishali, in connection with Complaint Case No. 2082 of 2012, subject to condition as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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