

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14617 of 2024

Arising Out of PS. Case No.-471 Year-2021 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Rajesh Kumar S/o Shivnandan Prasad
 2. Pawan Kumar Pandey S/o Raja Ram Pandey

Both petitioner no.1 and 2 are R/o Mohalla Manglagauri Chandchaura, Ps
Vishnupad District Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Phool Kumari Devi W/o Ram Pravesh Sharma R/o vill - Karauta, P.O.-
Shakurabad, P.S. - Paras Bigha, Distt. - Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP
Md. Javed Jafar Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 27-06-2024 Heard learned counsel for the petitioners, learned APP

for the State along with learned counsel appearing on behalf of

the O.P. No.2.

2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Section 420 of the IPC and Section 138 of the Negotiable
Instrument Act in connection with Complaint Case No.471 of
2021.



3. The learned counsel for the petitioners submit that O.P. No.2 has not approached the Court with clean hands for the reason that she had earlier instituted one Complaint being Complaint Case No.168 of 2021 in the court of learned Chief Judicial Magistrate, Jehanabad with respect to bouncing of Cheque No.939259 for an amount of Rs.2,25,000/-. It is submitted that, thereafter, the present complaint case has been instituted in the court of learned Chief Judicial Magistrate, Gaya, with respect to the bouncing of the same cheque for which Complaint Case No.168 of 2021 was instituted.

4. At this stage, the learned counsel appearing on behalf of the O.P. No.2 submits that he has instruction not to oppose the anticipatory bail application of the petitioners.

5. Considering the submissions made by the learned counsel appearing on behalf of the O.P. No.2, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Gaya in connection with Complaint Case No.471 of 2021, subject to the conditions laid



down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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