

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16741 of 2024

Arising Out of PS. Case No.-445 Year-2023 Thana- NAGAR District- Vaishali

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1. Kamlesh Sharma S/O Late Ganga Bishun Sharma R/O Village- Tangaul, P.S- Hajipur Town, Distt.- Vaishali.
 2. Nirmala Devi W/O Kamlesh Sharma R/O Village- Tangaul, P.S- Hajipur Town, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mritunjay Prasad Chaudhary S/O Late Jay Shankar Pd. Chaudhary R/V- Hatsharganj, P.S- Hajipur, Distt.- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-05-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 420, 406/34 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

3. It is a case of cheque bounce to the tune of Rs. 4 lacs.

4. Learned counsel for the petitioners disputes the alleged amount which is said to have been given to the petitioners by the informant. However, petitioners are ready to



pay 50% of the defalcated amount i.e. Rs. 2 lacs in installments.

5. Considering the aforesaid contention made on behalf of the petitioners, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P. S. Case No. 445 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with direction to the petitioners that :-

(i) Petitioners shall deposit Rs. 1,00,000/- (Rs. One Lakh) in the *Nazarat* at the time of furnishing bail-bond and thereafter, rest amount i.e., Rs. 1,00,000/- (Rs. One Lakh) shall be deposited in two equal installments i.e. Rs. 50,000/- (Rs. Fifty Thousand) each within six months in the *Nazarat*, failing which, the learned court below would be at liberty to cancel the bail-bond.

6. It is made clear that without going into the merit of the case, this order has been passed for the purpose of bail and



payment of aforesaid amount shall be subject to the final
outcome of the case.

(Prabhat Kumar Singh, J)

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