

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22157 of 2024

Arising Out of PS. Case No.-314 Year-2023 Thana- GAYA COMPLAINT CASE District-
Gaya

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Shailendra Kumar @ Shailendra Prasad S/o Sri Dhanu Prasad R/o vill -
Babhandev, P.S. - Barachatti, Distt. - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishnadev Prasad S/o Late Rameshwari Prasad R/o vill - Keshapi, P.S. -
Sherghati, Distt. - Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Vijay Kumar, Advocate
For the Opposite Party/s :	Mr. Pramod Kumar Pandey, A.P.P.
	Mr. Amritanshu Dangi, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-07-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 420, 467, 468 of the
Indian Penal Code and Section 138 of the Negotiable
Instruments Act.

3. As per prosecution case, cheque amounting to Rs.
4,00,000/- which was issued by the petitioner to the complainant
got bounced due to insufficiency of fund.

4. Learned counsel for the petitioner denies the
prosecution case and submits that petitioner has never taken any
money from the complainant. However, at this stage, without
admitting his guilt, petitioner is ready to deposit 50% of the



alleged amount i.e. Rs. 2 lacs, in easy installments.

5. Learned counsel for the complainant vehemently opposed the bail application.

6. Considering the aforesaid contention made on behalf of the petitioner, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his 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) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Sherghati at Gaya in connection with Complaint Case No. 314 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with direction to the petitioner that :-

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



7. It is made clear that without going into the merit of the case, this order has been passed only 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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