

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26132 of 2024

Arising Out of PS. Case No.-3737 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Samrat Singh Son of Satish Singh, Resident of Flat No. 403, Jagtarni Tower,
Jamal Road, P.S.- Gandhi Maidan, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Manish Son of Sri Vishwanath Prasad, R/o Mahesh Nagar, Road No.-2,
P.O.- Keshri Nagar, P.S.- Patliputra, Dist.- Patna.

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Prakritita Sharma, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2024 Heard Mr. Prakritita Sharma, the learned counsel

for the petitioner and Mr. Rajendra Nath Jha, the learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in

connection with Complaint Case No. 3737(C) of 2022,

registered for the offences punishable under Sections 420, 406

and 407 of the Indian Penal Code and under Section 138 of the

NI Act.

3. According to prosecution case, the complainant

gave altogether Rs. 8,00,000/- (Rupees eight lakhs) to one

accused person namely, Samrat Singh, who provided him two

return cheques of Rs. 6,00,000/- (Rupees six lakhs) and Rs.



2,00,000/- (Rupees two lakhs), which became dishonoured due to stop payment and till date no money has been returned to the complainant.

4. Learned counsel for the petitioner on instruction submits that the petitioner is ready to pay the dues amount, i.e., Rs. 8,00,000/- (Rupees eight lakhs) to the complainant within a period of three months.

5. The learned Additional Public Prosecutor for the State has no objection to the aforementioned contention made by the learned counsel for the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above-named, in the event of his arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-X, Patna, where the case is pending in connection with **Complaint Case No. 3737(C) of 2022**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall pay Rs. 4,00,000/- (Rupees four



lakhs) at the time of furnishing the bail bond by way of demand draft in favour of the complainant namely, Manish and the learned trial Court is directed to hand over the said demand draft to the complainant or his representative and the remaining amount of Rs. 4,00,000/- (Rupees four lakhs) shall be paid to the complainant within a period of three months.

(ii). If the petitioner fails to pay the dues amount within the aforesaid period, the complainant shall be at liberty to move before the learned trial Court for cancellation of the bail bond of the petitioner.

(iii). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial Court.

(iv). If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(v). And further condition that the trial Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his



criminal antecedent, the trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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