

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35684 of 2024

Arising Out of PS. Case No.-1073 Year-2020 Thana- GAYA COMPLAINT CASE District-
Gaya

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Abdul Rais Khan Son of Late Jouhar Ali Khan Resident of Village- Khajuri ,
P.S- Wazirganj , Dist- Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Akhtar Hasnain Son of Late Mohammad Subhan Resident of Mohalla-
Gewal Bigha, P.S- Rampur ,Dist- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ujjwal Kumar
For the State	:	Mr. Sanjay Kumar Singh
For the O.P. No.2	:	Mr. Anil Kumar Sinha
		Mr. Vishwanath Prasad Mahto

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 03-12-2024 Heard learned counsels for the parties.

2. The petitioner apprehend his arrest in a case registered for
the offence punishable under Sections 420 of the Indian Penal
Code and 138 of N.I. Act.

3. As per the complaint case, petitioner consulted to the
complainant for the work under Nal Jal Yojna for which the
complainant gave estimate of total amount of Rs.2,47,158/-. On
completion of the said work, complainant demanded the said
amount for which the petitioner issued a cheque of Rs.2 lakhs
but the cheque was dishonoured due to insufficient fund in the
bank account. When the complainant informed the petitioner



about the incident and sent a notice to him under Section 138 of the NI Act. After receiving of the notice, petitioner and other persons went to the compound of the shop of the complainant and abused him and also threatened to kill him.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. It is further submitted that petitioner is ready to return the amount of Rs.2,47,158/- to the complainant and the said deposit shall be subject to the final outcome of the present case. Petitioner has one criminal antecedent.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Complaint Case No.1073 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. Petitioner is directed to deposit Rs.2,47,158/- in the



Nazarat of the learned Court below at the time of furnishing his bail bonds. The said deposit shall be subject to final outcome of the case against them.

(Anjani Kumar Sharan, J)

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