

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81066 of 2023

Arising Out of PS. Case No.-183 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Rambhaju Ram Son Of Shankar Ram Resident Of Village -GAUNAHA P.S-
Gaunaha, Distt- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Most. Jayatri Devi W/o Late Gourishankar Resident of Village-Gaunaha,
P.S.-Gaunaha, District-West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sujeet Kumar, Advocate
For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-01-2024 Heard Mr.Sujeet Kumar, learned counsel for the

petitioner, learned counsel for the complainant and

Mr.Jharkhandi Upadhyay, learned Additional Public Prosecutor

for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No.183-C of 2023,FIR dated
21.01.2023 registered for the offences punishable under
Sections 420,406 of IPC and Section 138 of N.I.Act.

3. It has been alleged by the complainant that the
petitioner has given his land to the complainant as lease (Rehan)
for Rs. 50,000/- and total amount of Rs. 1,20,000/- was due
against the petitioner of the complainant in respect of which he
delivered one cheque of Rs. 1,20,000/- and the same was



bounced on account of insufficiency of fund. Petitioner is still not delivered the said amount to the complainant.

4. Learned counsel for the petitioner outrightly submits that the petitioner is ready to return Rs.50,000/- of the complainant and the rest dues amount shall be given to the complainant after the outcome of the result of the complaint case.

5. Learned counsel for the complainant submits that he has no objection if the petitioner shall deposit Rs.50,000/- to the complainant.

6. In view of the aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Complaint Case No.183-C of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) At the time of furnishing bail bond, the petitioner shall deposit Rs. 50,000/- by way of demand draft in favour of



the complainant and the learned court below is directed to hand over the said demand draft to the complainant or her representative.

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

(III) 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.

(IV) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below 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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