

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82819 of 2023

Arising Out of PS. Case No.-178 Year-2023 Thana- IMAMGANJ District- Gaya

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PRAHLAD PRASAD S/O SHIVSHANKAR MAHTO, R/O VILLAGE-
ROHWAY, POST- BEDAULI,IMAMGANJ P.S. IMAMGANJ, DIST- GAYA.

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s	:	Mr. Shadab Akhter , Advocate
For the Opposite Party/s	:	Umeshanand Pandit, APP
For O . P – 2	:	Sudhir Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Sections 420 and 506 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

3. As per the prosecution case, the petitioner gave a cheque of Rs. 3,14,000/- to the informant for the purchase of a tractor from his agency, and when the informant deposited the cheque in the Punjab National Bank, Imamganj, three times on different dates, the cheque was bounced due to an insufficient balance.

4. After some argument, learned counsel for the



petitioner submits that he is ready to pay the alleged amount of **Rs. 3,14,000/- (three lacs fourteen thousand)** in installments to the Opposite Party No. 2.

5. 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 Learned J . M. F. C , Sherghati, District- Gaya in connection with Imamganj (Gaya) P. S. Case No. 178 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 refund Rs. 1, 14,000 /- (one lakh fourteen thousand) through Bank Draft/cash in the Nazarat of Civil Court, Gaya at the time of furnishing bail-bond.

(ii) The petitioner shall refund the rest amount i.e., Rs. 2,00000/- (two lacs) in four equal installments of Rs. 50,000/- (fifty thousand) through Bank Draft/cash in the Nazarat of Civil Court, Gaya within a period of one year from the date of furnishing bail-bond.

(iii) The aforesaid payment shall be subject to the final outcome of the case .



(iv) If petitioner does not abide by the aforesaid directions, the learned Court below is at liberty to cancel the bail-bond of the petitioner.

(Prabhat Kumar Singh, J)

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