

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38 of 2024

Arising Out of PS. Case No.-2544 Year-2016 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Kumar Gaurav son of Sri Surendra Prasad Gupta Village- Khushkibagh Near
Pani Tanki Ps- SAdar Dist- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prabhat Kumar Singh S/o Sri Ram Sarekh Singh R/o vill - Dumari, P.S. -
Desari, Distt.- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence under Sections 420/34 of the Indian
Penal Code and Section 138 of the N.I.Act.

3. It is alleged that petitioner took Rs. 4,00,000/-
(Four lacs) from the complainant/O.P.2 on the pretext of
providing job to him, but after lapse of several months, neither
job was provided to him nor petitioner returned the alleged
money and when complainant demanded his money from
petitioner, he gave a cheque of Rs. 1,10,000/- to the complainant
/opp.party no. 2, which bounced due to insufficient fund.



4. Learned counsel for the petitioner, without admitting the allegation made in the complaint, submits that petitioner is ready to deposit the alleged cheque amount of **Rs. 1,10,000/- (Rupees one lac ten thousand)** in easy installments in the *Nazarat* of the Civil Court, Vaishali at Hajipur.

5. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender 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 Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Complaint Case No. 2544 of 2016, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further following conditions:

“(A) At the time of furnishing bail-bond, the petitioner shall deposit Rs. 50,000/- (fifty thousand) in the *Nazarat* of Civil Court, Vaishali at Hajipur.

(B) Rest amount i.e. Rs. 60,000/- (sixty thousand) shall be deposited in the *Nazarat* of Civil Court, Vaishali at Hajipur in two equal installments of Rs. 30,000/- (thirty thousand) each within a period of six months from the date of furnishing bail-bond.

(C) The aforesaid payment shall be subject to



final outcome of the case.

(D) If petitioner fails to comply the direction of this Court, the learned Court below would be at liberty to cancel the bail-bond of the petitioner.”

6. This order has been passed, without going into the merit of the case, only for the purpose of consideration of prayer for anticipatory bail of petitioner.

(Prabhat Kumar Singh, J)

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