

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20444 of 2018

Arising Out of PS.Case No. -6 Year- 2018 Thana -SHRIKRISHNAPURI District- PATNA

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Prabhat Kumar Singh, s/o late Baidnath Singh, R/o Malkhana Chowk, P.S.-
Bhagwan Bazar, District- Chhapra at present residing at C/o Manoranjan
Prasad Singh, Road No. 14 A, P.S.- Rajiv Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Anjani Kumar Singh, son of late Ramchandra Pd. Singh, r/o 6/102,
Indrapuri, P.O. Keshri Nagar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate.

For the Opposite Party/s : Ms. Sharda Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 31-07-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **S.K. Puri P.S.**

Case No. 6 of 2018 instituted for the offence under Sections 420
and 406 of the Indian Penal Code.

It has been submitted that informant has not provided
any proof towards the payment of such a huge amount on four
dates in cash. It has further been submitted that the instant case is
counter blast of complaint case No. 3594(C) of 2017 filed against
the informant and his son for the offence under Sections 406, 420
of the Indian Penal Code and Section 138 of Negotiable
Instrument Act. The son of the informant has issued cheque of
Rs.12,00,000/- in favour of petitioner against discharge of loan



which he had provided, but aforesaid Cheque bounced. Counsel for the petitioner has further submitted that four other cases of similar nature have been lodged against the informant for cheating with innocent persons which are pending as mentioned in paragraph-12 of the bail petition.

Complaint case No. 1148(C) of 2018 has also been filed by the petitioner against the informant and his brother (Annexure-3) alleging that they have stolen blank signed document of the petitioner and by forging the same, the instant case has been filed.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **S.K. Puri P.S. Case No. 6 of 2018**, he shall 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 Sri Praveen Kumar Singh, learned **Additional Chief Judicial Magistrate-cum-Special Magistrate, C.B.I.-I, Patna**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall



cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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