

Vijay Swaraj, son of Dharichan Mahto, resident of Village-Jamunia, P.S.-
Jagdishpur, District-West Champaran

Versus

- Opposite Party/s

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

6 07-09-2016 Heard learned counsels for the petitioner,
complainant and the State.

The prosecution case is that Rs. 16,50,000/- was given to the petitioner who used to run NGO to which the complainant was a member in the year 2011. In the year 2013 three cheques were given for return of the aforesaid amount which got bounced. Though initially it was submitted on behalf of the petitioner that no payment was made but subsequently

on submission of the counsel for the petitioner that petitioner is ready to settle the issue the petitioner was granted provisional bail for three months and on the joint prayer of the parties, the matter was referred to the Mediation & Conciliation Centre of the Bihar State Legal Services Authority. The report of the Mediator at Flag-A dated 05.08.2015 reflects that the petitioner declined to return the amount of Rs. 16,50,000/-.

It is submitted by learned counsel for the petitioner that now petitioner is ready to deposit Rs. 8,25,000/- in six equal installments within a period of six months before learned Court below.

Learned counsel for the complainant submits that he has no instruction with regard to the present stand of the petitioner.

Considering the present stand of the petitioner, the provisional bail granted to the petitioner is extended by 10th of February, 2017.

Learned Court below will release the aforesaid amount in favour of the complainant if the complainant files appropriate application to the effect that complainant is no longer interested to prosecute the petitioner and files an application for withdraw/compromise of the case filed against the petitioner. However, if the complainant fails to accept the aforesaid amount, then the said amount will be invested in some fixed deposit scheme in connection with the

present case which will be subject to the result of the case.

The provisional bail of the petitioner will be confirmed by learned Court below on deposit of Rs. 8,25,000/- by the petitioner within a period of six months.

(Dinesh Kumar Singh, J)

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