

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52132 of 2016

Arising Out of PS.Case No. -269 Year- 2016 Thana -KOTWALI District- PATNA

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1. Manoj Kumar, Son of Shyam Prasad, resident of Flat No.132, Gulistan Apartment, Maurya Lok, P.S.- Kotwali, District- Patna, Proprietor of M/s Maa Enterprises, Shanti Market, P.S.- Jakkanpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rai Giriraj Krishna, Son of Late Rai Vinay Krishna, Resident of Sri Niwas Apartment, Budha Marg, Bandar Bagicha, P.S.- Kotwali, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh
Mr. Kanchan Kumar Singh
For the Opposite Party/s : Mr. Ataur Rahman
For the informant : Mr. R.K. Agarwal.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

This is an application for grant of regular bail for offences punishable under Sections 406 and 420 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

Allegation against the petitioner is that he purchased sugar worth Rs. 33,52,500/- from the informant and paid an amount of Rs. 30,00,000/- by way of a cheque, which got bounced.

It has been submitted on behalf of the petitioner that the petitioner is ready to pay the aforesaid amount of Rs. 30,00,000/-, if some time is granted to him.



Heard learned counsel for the State and learned Counsel, appearing on behalf of the Informant. Learned counsel for the informant has also no objection, if reasonable time is allowed to the petitioner.

Considering the aforesaid aspect, the petitioner is directed to pay the said amount i.e. 30 lacs, in 10 equal installment within a period of ten months from today and with this direction the petitioner, above named, in the event of his arrest or surrender before the court below within a period six weeks, is directed to be released on provisional bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna, in connection with Kotwali P.S. Case No. 269 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure. Once the amount is paid, provisional bail granted to the petitioner shall be confirmed by the learned Court below after verifying the receipts showing the payments made by the petitioner to the informant.

(Vinod Kumar Sinha, J)

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