

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39516 of 2015

Arising Out of PS.Case No. -3132 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Amit Kumar Jaishwal @ Monu Kumar Son of Shambhu Prasad Resident of
Mohalla - Rambagh Chouri, P.S. - Mithanpura, District - Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Manoj Kumar Choudhary S/o Sri Jaimangal Choudhary Proprietor of M/s
Sri Mahavir Synthetic, Hira Market, Agent Lane, Mohalla - Suttapatti, P.S.
- Town, District - Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner : M/s N.K.Agarwal, Sr. Advocate and
Dhananjaya Nath Tiwari, Advocate
For the State : Mr. Dr. Ajit Kumar(App)
For the Opposite Party no.2 : Mr. Avanish Kumar Singh, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

7 18-04-2016 I have heard learned counsel for the petitioner, the State
and the opposite party no. 2.

The petitioner apprehend his arrest in a case registered
for offences punishable under Sections 406 of the Indian Penal
Code and 138 of N.I. Act.

As per allegation the petitioner took clothes of
amount of more than Rs. three lacs on credit with a promise to

pay back the money after selling the cloth but the same was not returned. But on persuasion he had given a cheque of Rs. two lacs which has bounced.

Learned counsel for the petitioner submits that he is ready to pay the cheque amount in instalments.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Amit Kumar Jaishwal @ Monu Kumar be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Complaint Case No. 3132 of 2013, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Sri Santosh Kumar Jha, Judicial Magistrate, 1st Class, Muzaffarpur subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure with a further condition that at the time of furnishing bail bond the petitioner would deposit Rs. 50,000/- before the court below and, thereafter, the petitioner will deposit rest amount at monthly instalment of Rs. 25,000/-. Total amount should be deposited within a period of six months in court below in form of cash. The complainant would be at liberty to withdraw the same. However, such payment would be subject to the final result of the concerned case and without prejudice the stand of the petitioner which he

may take during course of trial.

It is made clear that if the petitioner fails to deposit the subsequent amount then the court below would take steps for cancellation of his bail bonds.

(Dr. Ravi Ranjan, J)

Spd/-

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