

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19397 of 2016**

Arising Out of PS.Case No. -44 Year- 2015 Thana -DEODHA District- MADHUBANI

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1. Shyam Sundar Thakur, S/o Laxmeshwar Thakur, resident of village-  
Dewdha, P.S.- Dewdha, District- Madhubani

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Anil Pd. Singh, APP

For the informant : Mr. Bimal Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

7/ 20-02-2017

Heard learned counsel for the Petitioner and the

State as well as learned counsel for the informant.

The Petitioner apprehends his arrest in Dewdha P.S.  
Case No.44 of 2015 instituted for the offence under Section(s)  
406, 420 Indian Penal Code and Section 138 of the Negotiable  
Instrument Act.

The petitioner by filing Supplementary Affidavit  
dated 11.01.2017 had stated that he will deposit rupees one lac  
twenty thousand in favour of the informant by Demand Draft  
during the course of day and rest amount shall be deposited in  
course of trial. The petitioner by order dated 12.01.2017 passed  
in the instant case was directed to honour his undertaking by  
13.02.2017. In compliance of the aforesaid, the petitioner has  
brought Demand Draft of rupees one lac twenty thousand drawn



in favour of the informant and the same is handed over to the counsel for the informant, which is accepted by him and in token of receipt of the same he has signed in the margin of the order-sheet.

Counsel for the informant, however, submits that sometime may be fixed for the petitioner to make payment of remaining amount as the total amount is rupees four lacs.

Counsel for the petitioner submits that he will make payment of the balance amount of rupees two lacs eighty thousand subject to final decision in the trial.

In such circumstances, it is ordered that in the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Dewdha P.S. Case No.44 of 2015, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1<sup>st</sup> class, Madhubani, subject to the conditions as laid down under Section 438(2) Cr. P. C.

The Trial Court is directed to expedite the trial of the case and make all effort to dispose of the same expeditiously.

In the event, the trial is not concluded within nine months, the Informant will file necessary petition in the Court



below with regard to payment of the balance amount to the informant by the petitioner.

**(Sanjay Priya, J)**

**JA/-**

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