

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37918 of 2015

Arising Out of PS.Case No. -154 Year- 2015 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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1. Mukesh Kumar Son of Surendra Paswan resident of village - Kaili, P.S.
Dhanarua, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra
For the Opposite Party/s : Mr. Narsingh Tanti(App)
For O.P. No. 2 ; Mr. Avinash

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 23-01-2017 The petitioner is apprehending his arrest in connection with Chandi P.S. Case No. 154 of 2015 (arising out of Complaint Case No. 353(C) of 2015), registered for offences punishable under Sections 406, 420, 120(B) of the Indian Penal Code.

Learned counsel for opposite party no. 2 has drawn the attention of this Court to this Court's order, dated 12.01.2017, from which it appears that the petitioner had undertaken to pay half of the Rs. 2.5 lakh to opposite party no. 2 within a period of three months and out of which, he had undertaken to pay Rs. 1 lakh to the opposite party no. 2 on or before 20th of January 2017. In pursuance of the Court's order dated 12.01.2017, he has given a Cheque of Rs. 1,00,000/- (One Lakh) bearing Cheque no.



000586 to opposite party no. 2 in this Court and has further undertaken to pay remaining amount of Rs. 1.5 lakh to the opposite party no. 2 on monthly installments.

In view of the aforesaid fact as cheque of Rs. 1,00,000/- (One Lakh) has been given to opposite party no. 2, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on provisional bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Smt. Rashmi Prasad, Judicial Magistrate, Hilsa, Nalanda in connection with Chandi P.S. Case No. 154 of 2015 (arising out of Complaint Case No. 353(C) of 2015), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is subject to the condition the petitioner shall pay the remaining amount in three equal installments on 20th day of each month starting from February 2017 and on failure to pay any installments within the time prescribed, his bail bonds shall be liable to be cancelled.

It is needless to say that if the cheque given to opposite party no. 2 in the Court today bounce back, the provisional bail of the petitioner shall be cancelled.



The learned Court below after verifying the receipts showing the payment of balance amount of Rs. 1,50,000/- (One Lakh Fifty Thousand), shall confirm the provisional bail granted to the petitioner, otherwise he is free to pass any order as he deems fit.

(Vinod Kumar Sinha, J)

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