

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47507 of 2017

Arising Out of PS.Case No. -197 Year- 2015 Thana -BHAGWAN BAZAR District- SARAN

=====

1. Sanjay Kumar Singh Son of Sita Ram Singh, resident of Village-Semariya, Police Station- Rivilganj, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar. null null
2. Agast Giri, Son of Late Kapildeo Giri, resident of Mohalla- Masoomganj, Police Station- Bhagwan Bazar, District- Saran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nawnit Kumar Tiwary

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 07-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Bhagwan Bazar P.S.
Case No. 197 of 2015 instituted for the offence under Sections-420, 406
of the Indian Penal Code and 138 of N.I. Act.

Counsel for the petitioner has submitted that he has deposited a cheque of Rs. 2,25,000/- in the account of opposite party No. 2 on 30-10-2017. Counsel for opposite party No. 2 has submitted that the amount has not been credited in his account and the cheque is still in the process of clearance. It has further been submitted that remaining amount of Rs. 5,00,000/- will be paid by the petitioner in two equal installments of Rs. 2,50,000/- each.

In such circumstances, this petition stands disposed off with direction to the petitioner to surrender in the court below within four



weeks with valid proof showing that amount of Rs. 2,25,000/- has been credited in the account of informant (opposite party No. 2) and also after confirmation by the informant, the court below will grant provisional anticipatory bail to the petitioner in connection with Bhagwan Bazar P.S. Case No. 197 of 2015 on its own satisfaction and thereafter, the petitioner will make payment of remaining amount of Rs. 5,00,000/- to the informant in two equal installments of Rs. 2,50,000/- each by 15th of each month and after making full payment of Rs. 7,25,000/- which is the admitted dues and on producing valid proof of making payment of the aforesaid amount and also on being confirmed by the informant, the court below will confirm the provisional anticipatory bail granted to the petitioner.

In the event the petitioner does not produce any valid proof that amount of Rs. 2,25,000/- has been credited in the account of the informant, or the petitioner makes default in making payment of single installment, the court below will be at liberty to pass appropriate order including cancellation of provisional anticipatory bail granted to the petitioner without taking into consideration the observation made by this order above.

(Sanjay Priya, J)

A.K.V./-

U		T	
---	--	---	--

