

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13866 of 2017

Arising Out of PS.Case No. -128 Year- 2016 Thana -LAKHNAUR District- MADHUBANI

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1. Lakshman Poddar Son of Late Bauelal Poddar, Resident of Village-
Pastan, Navtoli, P.S.- Andhratharhi, District- Madhubani, Presently
Resident of Village- Jay Matadi Enterprises, Behat Noth , Near Dr. G.K.
Mishra and D.A.V. School, P.S.- Lakhnour (R.S.O.P.) District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-05-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Lakhnour
(R.S.O.P.) P.S. Case No. 128 of 2016 instituted for the offence
under Sections-420, 406 of the Indian Penal Code and 138 of N.I.
Act.

There is allegation against the petitioner that he issued
a cheque for Rs. 2,80,000/- to the informant which bounced when
the informant presented the cheque in the bank.

The opposite party No. 2 appeared in the court after
issuance of notice.

During hearing of the petition, the petitioner has agreed
to make payment of amount of the cheque in three equal
installments to the informant. The informant is also agree with the



proposal made by the petitioner.

In such circumstances, this Cr. Misc. petition is disposed off with direction to the petitioner to surrender in the court below within four weeks from today with receipt of payment of first installment of Ra. 1,00,000/- (one lac) by demand draft to the informant and in the event, the petitioner appears in the court below with receipt showing payment of the aforesaid amount, the court below will enlarge the petitioner on provisional bail for three months and, thereafter, the petitioner will make payment of remaining amount in two equal installments by 15 of every month by demand draft. The court below after being satisfied that the entire amount of Rs. 2,80,000/- has been paid to the informant and on production of the valid receipt by the petitioner of making payment of Rs. 2,80,000/- by demand draft, the court below will confirm the provisional bail granted to the petitioner.

It is made clear that in the event, the petitioner does not surrender in the court below with receipt showing payment of first installment of Rs. 1,00,000/- or makes any default in payment of rest amount, the court below will pass appropriate order including cancellation of bail of the petitioner.

(Sanjay Priya, J)

A.K.V./-

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