

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11390 of 2017

Arising Out of PS.Case No. -2698 Year- 2015 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Ramdhani Mahto, son of Ram Prasad Mahto, Resident of Village-
Rajkhand, P.S. Aurai, District- Muzaffarpur.

.... Petitioner

Versus

1. State of Bihar
2. Rajeev Kumar, son of Late Pratap Narayan Singh, resident of
Aakharaghat road, Narma Market, P.S. Town, District Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Kumar Kaushik, Advocate

For the Opposite Parties : Mr. Sri Ajay Kumar-1 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 15-05-2017 Heard learned counsel for the petitioner and learned
counsel for State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 2698 of 2015, registered for the offences
punishable under Sections 406 & 420 of the Indian Penal Code
and Section 138 of Negotiable Instrument Act.

Learned counsel for the petitioner submits that the
petitioner is ready to refund the amount of Rs. 2,51,000/- in
installment. The learned counsel for the opposite party no.2 has
got no objection. It is submitted on behalf of both the parties that
the petitioner will pay Rs. 50,000/- per month in five equal
instalments, he will pay the entire amount of Rs. 2,51,000/-.

Under the circumstances, the petitioner is directed to



pay Rs, 51,000/- to the complainant/opposite party no.2 within six weeks from today and after payment of Rs. 51,000/-, the petitioner in the event of his arrest or surrender shall be **released on provisional bail on** execution of bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Complaint Case No. 2698 of 2015, subject to the conditions as laid down in section 438(2) of the Cr.P.C., and further the petitioner shall pay the rest amount in four monthly equal installments and after payment the provisional bail of the petitioner shall be confirmed by the learned court below itself and in failure, the bail bond of the petitioner shall be deemed to be cancelled.

(Jitendra Mohan Sharma, J.)

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