

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8925 of 2017**

Arising Out of PS.Case No. -125 Year- 2014 Thana -SITAMARHI COMPLAINT CASE District-  
SITAMARHI

=====

1. Pawan Kumar Jha, son of Jaleshwar Jha, R/o Village- Babhangama Road,  
Kusumpuri Bakhari, P.S.- Riga, District- Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Hemant Kumar, son of Ramjivan Mishra, Resident of Village- Andhara,  
P.S.- Parsauni, District- Sitamarhi.

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

=====

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Sanjay Kumar

=====

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

3      12-04-2017                      Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Complaint Case  
No. 125 of 2014 initiated for the offence under Sections-406/420  
of the Indian Penal Code and Section-138 of Negotiable  
Instruments Act.

It has been submitted on behalf of the petitioner that he  
is ready to return the amount of Rs. 5,00,000/- of the cheque in 12  
equal installments. Counsel for opposite party No. 2 appeared and  
agreed to the aforesaid proposal of the petitioner.

In such circumstances, the petitioner named above is  
directed to surrender in the court below within four weeks from  
the date of receipt of this order along with receipt showing



payment of first installment of the money to the informant and in that event, the court below shall enlarge the petitioner on provisional anticipatory bail for one year to its own satisfaction and the petitioner will continue making payment of remaining 11 installments by 15<sup>th</sup> day of every month. In the event, petitioner after making full payment of Rs. 5,00,000/- produce the valid receipt showing payment of full amount to the informant, the court below shall confirm the provisional anticipatory bail of the petitioner.

It is made clear that in the event, the petitioner does not surrender along with receipt of payment of first installment or in the event of making default in payment of single installment, by the petitioner, the court below will be at liberty to pass appropriate order in accordance with law including cancellation of bail bond of the petitioner.

It is also made clear that the payment will be subject to final result of Complaint Case No. 125 of 2014.

**(Sanjay Priya, J)**

A.K.V./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

