

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61328 of 2017

Arising Out of PS. Case No.-407 Year-2017 Thana- KADAMKUAN District- Patna

Rakesh Kumar, S/o-Shekhar Mehta, R/o- Mahavir Lane, near Kushwaha Marriage Hall, Mussalahpur, P.S.- Pirbahore, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. SANJAY KUMAR TIWARY

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-12-2017 Heard learned counsels for the petitioners, informant and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 406 and 420 of the IPC and Section 138 N.I., Act.

The prosecution case is that on 14.08.2014, the petitioner took Rs. 5,60,000/- as a loan from the informant with assurance to return the same within a period of one year, but after lapse of one year, the petitioner did not return the same.

It is submitted by learned counsel for the petitioner that the dispute is with regard to quantum of loan as the petitioner took only Rs. 2,60,000/- for which he issued a cheque, though, the same got dishonoured, but the petitioner is ready to return the same within a period of six months in four equal installments.



However, learned counsel for the informant submits that total amount of loan was Rs. 5,60,000/-.

Considering the nature of accusation and the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months, in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Kadam Kuan P.S. Case No. 407 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

The first installment will be paid by the petitioner through bank draft by submitting the same before the learned court below at the time of executing the bail bonds, whereas rest three installments will be paid within six months in the same manner.

On deposit of Rs. 2,60,000/-, the bail bonds of the petitioner will be confirmed by the learned court below within a period of six weeks.

(Dinesh Kumar Singh, J)

Amrendra/-

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

