

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49261 of 2017

Arising Out of PS. Case No.-3909 Year-2015 Thana- PATNA COMPLAINT CASE District- Patna

Bablu Kumar S/o Dayanand Saw Resident of Mohalla- C.D.A. Colony, near
Sant Bihar, near Vinova High School, P.S. Shastri Nagar, District Patna.

... .. Petitioner

Versus

1. The State of Bihar.
2. Santosh Kumar S/o Rajendra Prasad Resident of Mohalla- C.D.A. Colony,
Q.No. 78, P.S. Shastri Nagar, District Patna.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar

For the Opposite Party/s : Mr. SRI PRANAV KUMAR

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 11-01-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehends his arrest in Complaint Case No.
3909 (c) of 2015 in which cognizance has been taken for the
offences punishable under Section 420 of the Indian Penal Code
and Section 138 of N. I. Act.

At the very outset, learned counsel for the petitioner
submits that the petitioner has taken loan of Rs. 1,00,000/- from
the complainant and gave cheque by way of refund but that
cheque was dishonoured due to insufficiency of funds. The
petitioner undertakes to pay Rs. 1,00,000/- to the complainant
within three months in three equal installments.

Opposite party no. 2 has appeared through Vakalatnama
but today no one is present on his behalf.

Under the circumstances, the petitioner is directed to pay



Rs. 34,000/- by way of first installment within one month to the complainant and thereafter, the petitioner shall surrender in the court below and then he shall be released on provisional bail on furnishing of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Patna in Complaint Case No. 3909 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and thereafter, the petitioner shall pay the amount of Rs. 33,000/- to the complainant in the next month and similarly the petitioner shall pay the rest amount of Rs. 33,000/- to the complainant in the third month. After payment of full amount of Rs. 1,00,000/- the provisional bail granted to the petitioner shall be confirmed by the learned court below itself.

The complainant will receive the amount so paid by the petitioner by issuing proper receipt thereof and, in case, the complainant refused to receive the amount as aforesaid, then, the petitioner will deposit the said amount in the court below.

With the aforesaid direction, this criminal miscellaneous application is hereby disposed of.

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(Jitendra Mohan Sharma, J)

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