

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44165 of 2018

Arising Out of PS.Case No. -29 Year- 2018 Thana -SHASTRINAGAR District- PATNA

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1. Aryan Raj S/o Shiv Murat Jaiswal @ Shiv Murat Jaiswal, R/o Mohalla-
Bhagwanpur, Near Basantpur S.B.I., P.S.- Bhabhua, District- Kaimur
(Bhabhua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvan Kumar

For the Opposite Party/s : Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-07-2018 The petitioner is apprehending his arrest in connection

with Shastri Nagar P.S. Case No. 29/18, registered for offences

punishable under Section 420 of the Indian Penal Code and

Section 138 of the N.I. Act.

Allegation against the petitioner that he took a friendly

loan of Rs. 5 lacs from the informant to open a coaching institute

but the said amount was not returned and when the petitioner put

pressure on him to return the amount, he issued a cheque of Rs. 5

lacs, which was dishonored by the bank on presentation.

It has been submitted on behalf of the petitioner that he

has falsely been implicated in this case and no such transaction has

ever been made and further the informant has not disclosed the

details of the bank, on which he deposited the said cheque.



Heard learned A.P.P. as well as learned counsel for the informant. Learned counsel for the informant has drawn the attention of this court towards an order passed by a coordinate Bench of this Court in Cr. Misc. No. 29273 of 2018, in which, the co-accused of this case has been directed to deposit the said amount of Rs. 5,00,000/-, who has also taken a friendly from the informant of this case along with the present petitioner.

Having heard both sides, in view of the aforesaid facts this application is disposed of with direction to the petitioner to surrender before the court below within a period of six weeks along with a demand draft of Rs. 1,00,000/-, (Rs. One Lac) drawn in favour of the informant and the court below after verifying the same shall release the petitioner on provisional bail to his own satisfaction, for a period of eight months, during which period, the petitioner shall deposit the rest of the amount of Rs. 4,00,000/- (Rs. Four Lacs) will be paid by the petitioner in the eight equal installments payable in the first week of each month and once the total amount of Rs. 5,00,000/- (Rs. Five Lacs) is paid to the informant, the court below shall confirm the bail bonds of the petitioner and in the event of failure to deposit any of the installments, the prosecution will move for cancellation of his bail bonds.



It is made clear the above amount of Rs. 5,00,000/- (Rs. Five Lacs) so deposited by the petitioner shall be subject to the outcome of the case.

(Vinod Kumar Sinha, J)

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