

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62325 of 2017

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Sanjay Kumar S/o Ram Sewak Prasad, R/o Dhelwan Bagicha, P.O.-
Dhelwan, P.S. - Ram Krishna Nagar, Distt.- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dayan Shanker Prasad

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4. 20-06-2018

Heard learned counsel for the parties.

It appears that while passing the order dated 09.11.2017 passed in Cr. Misc. No. 53888/2017, while granting the prayer for anticipatory bail to the petitioner this court took note of the submission of learned counsel for the petitioner saying that petitioner is ready and willing to deposit a sum of Rs. 3,50,000/- which is equal to the cheque amount in the court below, subject to the result of the case.

The present modification application has been preferred on behalf of the petitioner submitting that in fact the willingness of the petitioner shown by learned counsel on his behalf is related with the amount of the cheque which had stood dishonoured and in fact the said amount is Rs. 60,000/- and not Rs. 3,50,000/- as has been taken note by this court. This court had in order to ascertain the true and correct fact issued notice to the informant who was added as Opposite



Party No. 2 in the present application.

Learned counsel representing the informant accepts the factual position that in fact the cheque which stood dishonoured was worth Rs. 60,000/- and not Rs. 3,50,000/-. Learned counsel however submits that the total disputed amount under the rent agreement is Rs. 3,50,000/- which was allegedly not paid to the informant.

Considering the facts and circumstances of the case and taking note of the submissions of the parties, this court finds that the correct amount of the cheque which stood dishonoured is Rs. 60,000/- and not Rs. 3,50,000/-, therefore, the first and last paragraph at page-2 of the order dated 09.11.2017 wherever the amount shown is Rs. 3,50,000/- shall be read as Rs. 60,000/-.

The petitioner was granted provisional bail vide order dated 11.04.2018. The petitioner was ordered to be provisionally enlarged on bail on depositing Rs. 60,000/- in the court below vide order dated 11.04.2018. The said order is hereby confirmed.

Accordingly, this application is disposed off.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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