

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31274 of 2018

Arising Out of PS.Case No. -51 Year- 2018 Thana -SAHARSA District- SAHARSA

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1. Kalyan Kumar, Son of Narayan Chaudhary, Resident of Village-
Gangjala, Ward No. 16, P.S.- Saharsa, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-06-2018 The petitioner is apprehending his arrest in connection with Saharsa Sadar P.S. Case No. 51 of 2018, registered for offences punishable under Sections 406 and 420 of the Indian Penal Code and Section 138 of N.I. Act.

Allegation against the petitioner is that he has taken loan of Rs. 7,00,000/- (Rs. Seven Lac) from the informant for doing business on the assurance that he will return the same but he has not returned the said money and issued two cheques but they are dishonoured by the bank.

It has been submitted on behalf of the petitioner that he is ready to pay back the said amount to the informant, if some time is given to the petitioner.

Heard learned A.P.P. also as well as learned counsel for the informant.

Having heard both sides, considering the facts and



circumstances of the case and submission of learned counsel for the petitioner, this application is disposed of with direction to the petitioner to surrender in the concerned court below along with a demand draft of Rs. 2,00,000/- (Rs. Two Lac) drawn in favour of the informant and the court below after verifying the same, shall release the petitioner on provisional bail for a period of five months to his own satisfaction on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount, with condition that the petitioner shall deposit the remaining amount of Rs. 5,00,000/- (Rs. Five Lac) in five equal installments payable in the first week of each month through demand draft drawn in favour of the informant and on failure to deposit any of the installments, his bail bonds shall be cancelled and once the entire amount is deposited, the court below shall confirm the provisional bail of the petitioner.

It is made clear that the amount so deposited will be subject to the outcome of the case.

(Vinod Kumar Sinha, J)

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