

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68658 of 2018

Arising Out of PS. Case No.-102 Year-2016 Thana- PARIHAR District- Sitamarhi

ASLAM AZAD @ MD. ASLAM AZAD, son of late Md. Asharaf Ali,
resident of Village- Bela Machh Pakaoni, Police Station- Bela, District-
Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Central Co-Operative Bank Ltd, through Branch Manager Dumri
Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Saghir Ahmad, Advocate
For the Opposite Party/s :	Mr. Binod Kumar, APP
	Mr. Shri Nath Pathak, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 12-12-2018

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Opposite Party

No.2.

Petitioner seeks bail in **Parihar P.S. Case No.102 of 2016** instituted for the offence under Section(s) 406, 409, 421 Indian Penal Code.

Counsel for the petitioner submits that petitioner was earlier granted provisional bail by this Court by order dated 17.02.2017 passed in Cr. Misc. No.4985 of 2017 with direction to make payment of the due amount i.e. Rs.7,47,020/- within nine months in equal installments. The petitioner did not comply the aforesaid order and thereafter his bail bond was cancelled by the learned Court below. He was taken into custody on 29.01.2018 and since then he is in custody.



By order dated 28.11.2018, counsel for the petitioner was directed to seek instruction from his client whether he is ready to make payment of entire amount at the time of his release.

Counsel for the petitioner submits that he has taken instruction from his client and he is ready to deposit the entire amount in one lump sum at the time of his release.

In such circumstances, petitioner is directed to deposit Rs.7,47,020/- with Opposite Party No.2, within a period of six months from the date of receipt of copy of this order in the Court below, and obtain valid receipt with regard to aforesaid payment and produce the copy of the same before learned Court below and, in that event, the Court below (**Chief Judicial Magistrate, Sitamarhi**) will release the petitioner on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to its own satisfaction in connection with **Parihar P.S. Case No.102 of 2016**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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