

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18902 of 2018

Arising Out of PS.Case No. -510 Year- 2016 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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1. Ravindra Kumar, son of Jagdish Prasad Yadav @ Jagdish Yadav,
resident of village - Mosima Sarai, P.S. Ghoshi, District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manoj Kumar Sharma, son of Santanu Sharma, R/o Kurre, P.S. Ghoshi,
District Jehanabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jain, Advocate

For the Opposite Party No.1: Mr. Abhay Kumar Roy, APP

For the Opposite Party No.2: Mr. Satya Prakash, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 21-06-2018

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Opposite Party No.2.

Petitioner apprehends his arrest in Complaint Case
No.510 of 2016 instituted for the offence under Section(s) 420,
406, 420 Indian Penal Code and Section 138 of the Negotiable
Instrument Act.

As per allegation in the Complaint Petition, the
petitioner took an amount of rupees five lac as loan from the
Complainant and on demand he issued a cheque of rupees three
lac in favour of the Complainant, which got bounced when the
same was presented in the Bank.



Notice was issued to the Complainant-Opposite Party No.2, who has appeared. Counsel for the petitioner has submitted that petitioner is ready to return the amount of the cheque in installments.

In such circumstances, this application is disposed off with direction to petitioner to make payment of rupees twenty five thousand as first installment to the Complainant within a period of four weeks from the date of this order by Demand Draft and surrender before the Court below i.e. **Chief Judicial Magistrate, Jehanabad**, in connection with **Complaint Case No.510 of 2016**, showing valid receipt of payment of rupees twenty five thousand as first installment and, in that event, the Court below will release the petitioner on provisional anticipatory bail to its own satisfaction for a period of one year.

Thereafter, the petitioner will make payment of the remaining amount in 11 equal monthly installments of rupees twenty five thousand each. After making payment of the entire amount i.e. rupees three lac and on producing valid receipt with regard to payment of the same, provisional anticipatory bail of the petitioner will be confirmed.

It is made clear that in the event the petitioner does not surrender in the Court below along with receipt showing



payment of first installment, as ordered above, or the petitioner defaults in making payment of single installment, his provisional bail will be liable to be cancelled.

This application is, accordingly, disposed off.

(Sanjay Priya, J)

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