

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56582 of 2017

Arising Out of PS.Case No. -20 Year- 2016 Thana -DHARHARA District- MUNGER

- =====
1. Bijay Kumar, S/o Pradeep Singh, resident of village- Shiv Kund, P.S.-
Dharahara, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Upendra Narayan Yadav, son of late Keshav Prasad Yadav, resident of
Mohalla- Shastri Nagar, Road No.7, P.S.-Kasim Bazar, District-Munger.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Verma, Advocate

For the Opposite Party/s : Mr. Amrendra Prasad, APP

Mr. Anurag Saurav, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 08-02-2018

Heard learned counsel for the petitioner and learned

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

Petitioner apprehends his arrest in **Dharahara P.S.**

Case No.20 of 2016 instituted for the offence under Section(s)
420,406, 467/34 Indian Penal Code.

Allegation against the petitioner is that he issued
cheque of Rs.80,000/- drawn on HDFC Bank in the name of son
of the informant, which got bounced due to insufficient fund in
the account.

Counsel for the petitioner has submitted that he is
ready to make payment of rupees eighty thousand to the



informant in three installments within a period of six months.

In such circumstances, this application is disposed off with direction to the petitioner to surrender before the Court below **i.e. Judicial Magistrate, 1st class, Munger**, in connection with **Dharahara P.S. Case No.20 of 2016** within a period of four weeks from the date of receipt of copy of this order along with receipt showing valid payment of rupees twenty five thousand to the son of the informant by Demand Draft as first installment and in that event, the Court below will release the petitioner on provisional anticipatory bail for a period of six months on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

The petitioner will make payment of the remaining



amount within a period of six months in two equal installments through Demand Draft in favour of son of the informant. After payment of the entire amount i.e. rupees eighty thousand, provisional bail of the petitioner will be confirmed.

It is made clear that if petitioner defaults in making payment of a single installment, his bail bond will be liable to be cancelled.

The aforesaid payment made by the petitioner will be subject to final decision of the case.

(Sanjay Priya, J)

JA/-

U		T	
---	--	---	--

