

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29273 of 2018

Arising Out of PS.Case No. -29 Year- 2018 Thana -SHASTRINAGAR District- PATNA

=====

1. Shayam Suman, S/o Sri Narendra Kumar, R/o L.I.G. Colony, Flat No. 6/2002, Hanuman Nagar, P.S.- Kankarbagh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate with
Mr. Sarvan Kumar, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP
Mr. Akash Chaturvedi, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 25-06-2018

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 **Shastri Nagar P.S. Case No.29 of 2018** instituted for the offence under Section(s) 420 Indian Penal Code and Section 138 of the Negotiable Instrument Act.

After some argument, counsel for the petitioner submits that he is ready to make payment of rupees five lac to the petitioner in installment subject to final outcome of the case. It is submitted that petitioner will make payment of rupees one lac to the informant at the time of his surrender and the remaining amount will be paid in eight equal monthly installments.



In such circumstances, this application is disposed off with direction to petitioner to surrender before the Court below i.e. **Chief Judicial Magistrate, Patna**, within a period of four weeks from today in connection with **Shastri Nagar P.S. Case No.29 of 2018**, along with receipt showing payment of rupees one lac to the informant through Demand Draft and in that event, the Court below will release the petitioner on provisional anticipatory bail for a period of nine month on the surety to be fixed by the Court below itself.

Thereafter, the petitioner shall make payment of the remaining amount i.e. rupees four lac in eight equal installments by Demand Draft to the informant. After payment of the entire amount i.e. rupees five lac, 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 of rupees one lac or commits default in making payment of single installment, it will be open to the Court below to pass appropriate order in accordance with law including cancellation of bail bond of the petitioner without taking into consideration the observations made above by this Court.



The aforesaid payment made by the petitioner to the informant will not prejudice the case of the petitioner and will be subject to final outcome of the case.

This application is, accordingly, disposed off.

(Sanjay Priya, J)

JA/-

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

