

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23845 of 2018

Arising Out of PS.Case No. -425 Year- 2017 Thana -SITAMARHI COMPLAINT CASE District -
SITAMARHI

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Sujeet Kumar son of Late Kapindra Rai @ Kapindra Singh R/o
Runnisaidpur, near State Boring, P.S. - Runnisaidpur, District - Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar.
2. Manohar Prasad Rai son of Mahesh Prasad Rai R/o Village - Dhankaul,
P.S. - Piprahi, District - Sheohar.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-07-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with
Complaint Case No. C1-425 of 2017 in which cognizance has
been taken under Section 406 of the Indian Penal Code.

Allegation against the petitioner is that he has taken
Rs.65,000/- from the opposite party No.2 and he has issued a
cheque for Rs.20,000/- that was bounced.

Submission of learned counsel for the petitioner is that
there is no case under Section 138 of N.I. Act and in spite of that
he is ready to return Rs.20,000/- in three instalments.

Heard learned APP and learned counsel for the opposite
party No.2, who has opposed the prayer for anticipatory bail



stating that Rs.65,000/- is due to the petitioner.

Having heard both sides and in the facts and circumstances, this application is disposed of with a direction to the petitioner to surrender within a period of six weeks from the receipt of this order along with a Bank Draft of Rs.10,000/- payable in the name of opposite party No.2 and he will continue to pay the remaining amount in two instalments in the first week of every consecutive two months. Once the amount of Rs.10,000/- is deposited by way of Bank Draft petitioner will be released on provisional bail to the satisfaction of the court below and the whole amount will be released in favour of opposite party No.2 and that will be subject to the result of the case. It is made clear that as and when total amount of Rs.20,000/- his bail bond shall be confirmed.

(Vinod Kumar Sinha, J)

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