

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10443 of 2019

Arising Out of PS. Case No.-1403 Year-2017 Thana- COMPLAINT CASE District- Jamui

SUDHIR KUMAR, aged about 28 years, Gender- Male, Son of Ram Balak Sao, Resident of Mohalla - Naya Bazar, Hanuman Nagar, P.S.-Lakhisarai, District- Lakhisarai

... .. Petitioner

Versus

1. The State of Bihar
2. Binay Kumar, aged about 35 years, Gender- Male, Son of Prabhu Sao Resident of villege- Navka Dih, P.S.- Sikandara, District- Jamui.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 17-08-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Complaint Case No. 1403-C of 2017, registered for the offence under Section 420-B of the Indian Penal Code and under Section 138 of the N.I. Act.

It has been alleged that the petitioner has issued a cheque of Rs.12,60,000/- in favour of the complainant, but the same has been bounced on account of insufficient balance in the account.

Learned counsel for the petitioner submits that under the agreement the petitioner is ready to pay Rs.2,40,000/-,



but he does not say anything about the rest amount.

Looking to the entire facts and circumstances of the case, let the provisional bail granted to be petitioner vide order dated 22.02.2019 is extended subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that the petitioner shall pay an amount of Rs.2,40,000/- to the complainant within a period of four weeks from today and rest amount will be deposited by the petitioner in the Court below within a period of four weeks thereafter. In turn, the Court below will invest the aforesaid amount at proper place so that it may earn maximum rate of interest. If the petitioner pays the aforesaid amount of Rs.2,40,000/- to the complainant as also deposits the rest amount in the Court below within the period, as indicated above, in such circumstance, his provisional bail will be confirmed otherwise, the relief granted to the petitioner shall be treated to have been withdrawn and the Police will be at liberty to take action in accordance with law.

However, it is made clear that the aforesaid deposit will be subject to outcome of the case concerned.

(Shivaji Pandey, J)

pawan/-

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

