

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25509 of 2019

Arising Out of PS. Case No.-1933 Year-2017 Thana- SARAN COMPLAINT CASE District-
Saran

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Rajeev Kumar, Son of Late Janardan Yadav, Resident of Mohalla - Shiv
Bazar, P.S.- Bhagwan Bazar, Distt - Saran (Chhapra).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dilip Kr. Chaudhari, son of Lalbabu Chaudhary, Resident of Mohalla -
Matumganj, P.S.- Bhagwan Bazar, Distt - Saran (Chhapra).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 22-07-2019 This is an application for grant of anticipatory bail in
connection with Complaint Case No. 1933 of 2017, disclosing
offences under Sections 406/420 of IPC and Section 138 of N.I. Act.

Prosecution case is that petitioner has approached for loan
of Rs.2,50,000/- from the complainant and complainant has paid that
amount but when he started demanding that amount, he became
annoyed and thereafter, he issued a cheque of Axis Bank of
Rs.2,50,000/- but on production, it was found that the account has
already been closed.

After some arguments, there is submission of learned
counsel for the petitioner that he is ready to deposit 50% of the
amount out of that he is ready to return 20% amount at the time of
surrender and will deposit 30% amount, if some reasonable time is
given to the petitioner.



Heard learned APP as well as learned counsel appearing on behalf of the opposite party no.2 also.

In such view of the matter, let the petitioner, above named, surrender before the learned court below on 08.08.2019 and on surrender, if he is ready to pay at least 50% of the amount out of which, he is ready to pay back 20% of the amount by a bank draft to the opposite party no.2, he shall be released on provisional bail for three months. During that period, he will pay 30% of the amount to the opposite party no.2 by a bank draft in the name of opposite party no.2. Once, the total amount is paid, the bail bonds of the petitioner shall be confirmed.

It is also made clear that if opposite party no.2 file an application for withdrawal of the same, the amount shall be released in favour of opposite party no.2 that shall be subject to the result of the case.

Informant also proposed that if the total amount is returned by the petitioner to the opposite party no.2, the opposite party no.2 will withdraw the case against the petitioner.

With the aforesaid observations, this application is disposed of.

Sunil Shukla/-

(Vinod Kumar Sinha, J)

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