

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25039 of 2019

Arising Out of PS. Case No.-29414 Year-2014 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Sikha Kumari, Wife of Vibhakar Sinha, Proprietor of the Lady Boutique and the Lady Collection, 2nd Floor, Shop No. 41, Khetan Super Market, Birla Mandir Road, Patna-4, Resident of Mohalla- Jamun Gali, Sabzibagh, P.S.- Pirbahore, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satyanarayan Kedia, Son of Bhubneshwar Prasad Kedia, Proprietor of M/s Kedia Textile, Shalimar Market, Shabjibagh, District- Patna-4

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 24-07-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 29414 (C) of 2014, disclosing offences under Sections 420, 406 of IPC and Section 138 of N.I. Act.

Allegation as per complaint petition is that petitioner got supply of Sarees and other materials to the complainant and huge amount was due, in lieu of that, petitioner issued two cheques, one cheque of Rs.6,36,563/- and another of Rs.7,96,847/- in favour of the complaint, but on production those cheques were bounced.

Submission of learned counsel for the petitioner is that the whole allegation is false and concocted.



On the other hand, the opposite party no.2-complainant has submitted that she is in habit of issuing cheques without having sufficient amount in his account, for that, three more cases were lodged against the petitioner.

After some arguments, learned counsel for the petitioner has submitted that at present she is ready to pay Rs.7 lakhs of the amount, if some reasonable time is given to the petitioner and that should be subject to the result of the case.

Having heard both sides, in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the learned court below by 30.08.2019 with a bank draft of Rs.2,00,000/- payable in the name of complainant and on that, he will be released on provisional bail for a period of five months and during that period, he has to pay the rest of the amount of Rs.5,00,000/- in five equal installments of Rs.1,00,000/- each by bank draft payable in the name of complainant in the first week of each month.

Once the amount of Rs. 7,00,000/- has been deposited by the petitioner in favour of the complainant through bank draft, her provisional bail shall be confirmed by the learned court below.

It is also made clear that on failure to deposit any



installment, her bail bonds shall be cancelled.

It is also made clear that the aforesaid amount shall be subject to the final adjudication of the case.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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

