

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29372 of 2019

Arising Out of PS. Case No.-50 Year-2019 Thana- BETTIAH CITY District- West
Champaran

Meraz Khan @ Meraj Ahmad (M), aged about 30 years, Son of Minhajuddin Khan, Resident of Village-Pakari Bisauli Madhopur, P.O-Amolwa, P.S-Gaunaha, District-West Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Kashyap Kunal, son of Late Harishankar Ram, resident of Mohalla Naurangabad, P.S. Bettiah (T), District West Champaran, PIN 845438

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Aditya Nath Jha, Advocate
For the State	:	Mr. Jitendra Kr. Singh, APP
For Opposite Party No.2	:	Mr. Bimlesh Kr. Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 25-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 406 and 420 of the Indian Penal Code registered in connection with Bettiah Town P.S. Case No. 50 of 2019.

3. It is submitted that the petitioner has been falsely implicated on the accusation of having taken a loan of Rs. 2,80,000/- from the informant but the cheque for the said amount issued by him in repayment bounced. In any event, the petitioner has expressed his readiness to make payment of Rs. 2,80,000/- to the informant in appropriate installment for amicable settlement of the dispute.

4. Learned counsel for the informant appears and expresses that he has no objection to the offer of the petitioner.

5. Be that as it may and having regard to the stand of the parties, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on provisional bail



on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 50 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(v) That the petitioner shall make payment of the entire amount of Rs.2,80,000/- in four monthly equated installment of Rs. 70,000/- each to the informant within four months hereof.

6. The provisional bail granted to the petitioner shall be confirmed upon verification in respect of payment of the entire amount as stipulated above by the court below within a period of four weeks after furnishing bail bonds, failing which his bail bond shall automatically stand cancelled.

(Vikash Jain, J)

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