

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3125 of 2019

Arising Out of PS. Case No.-524 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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Mahesh Prasad Singh Bipat Prasad Mahto Resident of Pir Badhauna PS-
Daniawan District- Patna

... .. Petitioner/s

Versus

1. State Of Bihar
2. Md. mustafa Late Ayub Hussain Resident of Mohalla- Aliganj pS- Chandauti
District- gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ranjay Kumar Singh
		Mr. Wasi Mohammad
For the Opposite Party/s :		Mr.Ganesh Prasad Singh
For the O.P.No.2	:	Mr. Shyamal Krishna Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 10-05-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.524 of 2017 registered for offences punishable under Sections 420, 406 of the Indian Penal Code and Section 138 of N.I. Act.

As per the complaint petition, the allegation against the sole petitioner is that he has taken Rs.3,63,000/- for business purpose and in lieu of that he has received two cheques of Rs.2,50,000/- and Rs.1,13,000/- but on presentation it has bounced due to insufficient amount.

Submission of the learned counsel for the petitioner is



that as a matter of fact he has paid Rs.2,50,000/- and he is ready to pay Rs.1,13,000/- but on query he could not produce any document to show that he has paid Rs.2,50,000/-. After some argument, learned counsel for the petitioner has submitted that he is ready to pay the amount if some reasonable time is given to the petitioner.

Heard learned A.P.P. and the learned counsel for the O.P.no.2.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender before the learned court below within a period of eight weeks from the date of receipt of the order along with a bank draft of Rs.1,63,000/- in favour of the O.P.no.2 on which he will be released on provisional bail in connection with Complaint Case No.524 of 2017 for a period of 05 months to the satisfaction of the court below and rest of the amount he would pay in five equal installments of Rs.40,000/- each by bank draft payable to the O.P.no.2 and once the total amount is paid, the provisional bail of the petitioner shall be affirmed, however, the failure to pay any installment, the bail bond of the petitioner shall be cancelled. It is needless to say that the aforesaid deposit of the amount will be subject to result of the case and that will be



handed over to the O.P.no.2 on his filing undertaking that he will be abide by the decision of the court .

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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