

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80518 of 2019**

Arising Out of PS. Case No.-2776 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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RACHNA SINGH W/o Satish Kumar Singh R/o village- Jamalpur, P.S.-
Bairiya, District- Balia (U.P.)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Parvez Raushan S/o Ali Hussain R/o village- Mohalla Maszid Chowk, P.S.-
Hajipur Nagar, District- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 21-01-2020 Petitioner seeks bail in anticipation of her arrest in connection with Complaint Case No. 2776 of 2018 instituted for the offences punishable under Sections 406, 420 of the Indian Penal Code and Section 138 of N.I. Act.

As per FIR petitioner said to have purchased a land of the complainant of Rs.7 lac and three cheques were issued in favour of complainant but that cheques on production dishonoured. It further appears from perusal of the impugned order that before court below she undertook to return the amount in three instalments of Rs.3 lac, Rs.2 lac and Rs. 2 lac, one of the instalments she has paid and later on she has not not paid rest two instalments, as such her anticipatory bail was rejected.

Submission of learned counsel for the petitioner is that she



is ready to deposit rest of the amount if some reasonable time is granted to her.

Heard learned APP also.

In view of above facts and circumstances, this application is disposed of with direction to the petitioner to surrender in the court below within a period of six weeks from the receipt of this order along with a Bank Draft of Rs.2 lac in favour of the complainant and on such deposit of Bank Draft she will be released by the court below on bail for a period of two months, during that period she has to deposit rest of the amount through Bank Draft in favour of the complainant. Once the total amount is deposited, the provisional bail of the petitioner shall be confirmed by the court below. It is made clear that on failure to pay the instalment the provisional bail of the petitioner shall be cancelled.

It is made clear that once the total amount is deposited, on filing an application by the complainant the amount shall be released in favour of complainant subject to final outcome of the case.

(Vinod Kumar Sinha, J)

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