

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35443 of 2020

Arising Out of PS. Case No.-1601 Year-2016 Thana- GAYA COMPLAINT CASE District-
Gaya

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Arun Kumar Tiwari S/o Late Ram Prasan Tiwari R/o Village- Maa Vaishnavi
Niwas, Parsa, Near Ram Govind Singh High School, P.S.- Parsa District-
Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishnakant Raman S/o Late Radha Raman Singh R/o Village- New Area,
Gaya Beldari Tola, P.S.- Gaya, Civil Lines, District- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Digvijay Kumar Ojha, Advocate
For the State	:	Mr. Nawal Kishore Prasad, APP
For Opp. Party No.2	:	Mr. Prakash Chandra Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 25-01-2022 The matter is being heard through video conferencing

due to circumstances prevailing on account of Covid-19

pandemic.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner apprehends his arrest in connection

with Complaint Case No.1601 of 2016, Trial No. 445 of 2018

for offences under Section 420 of the Indian Penal Code and

Section 138 of the Negotiable Instrument Act.

The dispute is with regard to cheque bounce of

Rs.9,00,000/-.



Learned counsel for the petitioner submits that the petitioner is ready to pay the entire amount within next three months in three equal installments.

Learned counsel for opposite party no.2 has no objection if the entire amount is paid as stated above.

Considering the aforesaid submissions of the parties, the application for anticipatory bail is allowed.

Accordingly, let petitioner, above-named, in the event of his arrest or surrender within ten weeks from today, be released on provisional bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Complaint Case No.1601 of 2016, Trial No. 445 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

While surrendering, the petitioner shall produce demand draft of Rs.3,00,000/- in the name of the opposite party no. 2 and thereafter next two installments will be paid within the next two months by the petitioner to opposite party no.2. After the first installment is paid by the petitioner, he shall be released on provisional anticipatory bail and after payment of the entire amount, provisional bail of the petitioner shall be confirmed by



the court below. If the petitioner fails to pay the entire amount within three months, the court below is directed to take all coercive steps for arrest of the petitioner and any default in payment of the installment will entail cancellation of anticipatory bail granted to the petitioner.

With the aforesaid observation and direction, this application for anticipatory bail is allowed.

It is made clear that this order will not be modified and time for depositing the aforesaid amount shall not be extended under any circumstances.

(Sandeep Kumar, J)

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