

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66791 of 2021

Arising Out of PS. Case No.-5009 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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1. RAMESH CHANDRA THAKUR Son of Sri Ram Kumar Thakur Resident of Hazari Toli Balutar, P.S.- Maner, Dist.- Patna and at present mohalla - Mukam Saraiya Danshbari, P.S.- Janipur, Dist.- Patna
 2. Ram Kumar Thakur Son of Late Kamla Thakur Resident of Hazari Toli Balutar, P.S.- Maner, Dist.- Patna and at present mohalla - Mukam Saraiya Danshbari, P.S.- Janipur, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pawan Kumar Son of Late Ramnandan Singh Resident of Village - Nai Basti Devi Asthan, P.S.- Maner, Dist.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Shekhar Sharma
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

6 09-01-2023 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned counsel for the complainant.

The petitioners apprehend their arrest in connection with Complaint Case No. 5009 (C) of 2017, registered for the offences punishable under Sections 406, 420, 120B of the Indian Penal Code and Section 138 of N.I. Act.



Impugned order shows that it is admitted fact that the petitioners demanded friendly loan from the complainant. He gave them rupees sixteen lacs. The petitioners issued cheques to him which were dishonoured by the banks.

At the outset, learned counsel for the petitioners has submitted that the condition of the petitioners are precarious due to the expenses incurred in the ailment of father of petitioner No. 1. They are ready to refund the entire money but they are unable to make payment more than Rs. 25,000/- per month to the complainant.

Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 4th Patna in connection with Complaint Case No. 5009 C of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

With further condition that the petitioners have to make payment of Rs. 25,000/- monthly installment to the complainant. The installment must be paid within 10th day of every month. If the petitioners fail to make payment of two



consecutive installments, the learned court below shall be at liberty to cancel their bail bond.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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