

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48946 of 2024

Arising Out of PS. Case No.-46 Year-2023 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Jitan Singh S/O- Ram Parikshan Singh R/O Of Village- Bhupbhairo Post-
Bhupbhairo, P.S.- Sitamarhi, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pravesh Kumar S/O- Ram Prakash Mehta Proprieter Of Janki Interprises
Bhaitokothi Chaulk Near Foreline Crossing(Pupri Road, Sitamrhi)
Permanent Resident Of Village - Ramna, Ward No.8, Post- Bhaser
Machhaha, P.S.- Sitamarhi, Dist.- Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-09-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in a case

punishable for the offence under Section 406 of the Indian Penal

Code and Section 138 of the N.I.Act.

3. The case of the complainant, in brief, is that this

petitioner took articles from the shop of complainant on credit

worth Rs. 17,50,000/- with assurance to return the amount in

time, but petitioner did not return the money and on demand, he

gave a cheque of Rs. 17,50,000/- to complainant/opposite party

no. 2, which got bounced due to insufficient fund.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. However, without admitting the allegation made in the complaint petition, the petitioner is ready to deposit 50 % of the cheque amount i.e. **Rs. 8,75,000/- (Rupees eight lacs seventy five thousand)** in easy installments in the Nazarat of concerned Civil Court.

5. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Complaint Case No. C1-46 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further following conditions:

“(A) At the time of furnishing bail-bond, the petitioner shall deposit **Rs. 4,75,000/-** (Four lacs seventy five thousand) in the *Nazarat* of concerned Civil Court and receipt of the same shall be furnished alongwith bail-bond.

(B) Rest amount i.e. **Rs. 4,00,000/-** (Four Lacs) shall be deposited in the *Nazarat* of concerned Civil Court in four installments within a period of six months from the date of furnishing bail-bond.



(C) The aforesaid payment shall be subject to final outcome of the case.

(D) If petitioner fails to comply the direction of this Court, the learned Court below would be at liberty to cancel the bail-bond of the petitioner.”

6. This order has been passed, without going into the merit of the case, only for the purpose of considering the prayer for anticipatory bail of petitioner.

(Prabhat Kumar Singh, J)

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