

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47621 of 2025

Arising Out of PS. Case No.-101 Year-2022 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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Nitin Kumar S/o- Narendra Narayan Sinha R/o- Azad Nagar Tola Ward no- 12
PS- Madhepura, Dist- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neva Kumari W/o- Amar Kumar Village- Sahugarh W.No-9, Ps- Madhepura
Dist- Madhepura

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Singh, Adv.
For the Opposite Party/s	:	Ms. Sucheta Yadav, APP
For the O.P. No. 2	:	Mr. Pawan Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-09-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the O.P. No. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406 and
420 of the Indian Penal Code read with Section 138 of the NI
Act.

3. The learned counsel appearing on behalf of the O.P.
No. 2 submits that the case was taken up on 30.07.2025 and the
learned counsel appearing on behalf of the petitioner, based on
instruction, had submitted that petitioner is willing to return an
amount of Rs. 3 Lakhs on account of the fact that the cheque



which he had issued in favour of the O.P. No. 2 on presentation for encashment bounced.

4. Today, when the case is taken up, the learned counsel appearing on behalf of the petitioner does not dispute the said contention, but then submits that two months' time from the date of surrender be granted for returning the amount. It is also submitted that at the time of surrendering, the petitioner will pay an amount of Rs. 1 Lakh to the O.P. No. 2.

5. The learned counsel appearing on behalf of the O.P. No. 2 also does not object the said submission.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 101 of 2022 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. It is made clear that thereafter the learned Trial Court within a period of two months shall verify from the



learned counsel appearing on behalf of the O.P. No. 2 / O.P. No. 2 that whether the entire amount of Rs. 3 Lakhs has been credited in the account of the O.P. No. 2 or not.

8. In the event if it is found that entire amount of Rs. 3 Lakhs has not been credited in the account of the O.P. No. 2, in that event the provisional anticipatory bail bonds shall not be confirmed, but if the amount has been credited in the account of the O.P. No. 2, in that event the provisional anticipatory bail bonds shall be confirmed forthwith.

9. It is made clear that petitioner, at the time of surrendering or before that shall pay an amount of Rs. 1 Lakh to the O.P. No. 2 and rest Rs. 2 Lakhs within a period of two months from the date of surrender.

10. It is further made clear that if petitioner on the date of surrender or prior to surrendering does not pay an amount of Rs. 1 Lakh in that event, the present order shall not be given effect to, but if petitioner pays an amount of Rs. 1 Lakh on date of surrender or prior to that, in that event only the petitioner shall be released on provisional anticipatory bail.

(Satyavrat Verma, J)

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