

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81916 of 2024

Arising Out of PS. Case No.-10026 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Sunil Kumar Son of Late Sukhdeo Prasad Resident of Village- Parsa, P.O.-and
PS- Naubatpur, District- Patna. Petitioner.

Versus

1. The State of Bihar.
2. Smt. Sangita Kumari Wife of Shri Satish Kumar Resident of South Mandiri,
Kathpul, Post- G.P.O., P.S.- Budha Colony, Distt.- Patna-800001
... .. Opposite Parties.

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Appearance :

For the Petitioner	:	Mr. Subodh Kumar Barnwal, Advocate
For the State	:	Mr. Binod Kumar, APP
For the O.P. No.2	:	Mr. Shailendra Kumar Dwivedi, Advocate

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 11-08-2025 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned APP for the
State.

2. The petitioner apprehends his arrest for the
offences punishable under Sections 420 of the Indian Penal
Code and Section 138 of the N.I. Act.

3. The present case involves financial transaction as a
cheque of Rs.6.50 lacs has bounced. Earlier the matter had been
sent to the Patna High Court Mediation Center for amicable
settlement of the dispute and the same has been resolved by a
memorandum of agreement dated 22.07.2025 passed in
Mediation Proceeding Case No.637 of 2025. The petitioner has
agreed to make payment of cheque amount of Rs.6.50 lacs, out



of which Rs.1 lac was to be paid by way of draft at the time of hearing of the present case.

4. Learned counsel for the petitioner submits that the said payment has not been made on account of some financial difficulty. However, the petitioner would make payment within a period of one week from today and the rest of the payment would be made in equal installments and the last installment being of Rs.1.50 lac, would be done within a period of five months.

5. Learned counsel for the opposite party no.2 has no objection to the said terms and conditions of the agreement.

6. Taking into consideration the facts and circumstances of the case, let the above named petitioner, be released on **provisional bail**, in the event of his arrest or surrender before the learned Court below within a period of five weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/ successor Court in connection with Complaint Case No.10026 (C) of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482 (2) of the B.N.S.S.



7. The bail bonds of the petitioner shall be accepted by the learned Court below only upon production of proof of payment of Rs.2 lacs to the opposite party no.2, which would include the second installment also. Further, upon the payment of the entire amount of Rs.6.50 lacs within a period of five months, the learned Court concerned shall confirm the provisional bail granted to the petitioner and in case the said payment is not made within the stipulated period, as aforesaid, the provisional bail granted to the petitioner shall stand vacated.

(Soni Shrivastava, J)

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