

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49153 of 2014

Arising Out of PS.Case No. -260 Year- 2014 Thana -BIHTA District- PATNA

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Ram Babu Giri, S/o Late Subedar Giri, R/o Akhtiyarpur, P.S.- Bihta, District - Patna.	 Petitioner
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Versus

The State of Bihar	 Opposite Party
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Appearance :

For the Petitioner/s : Mr. Kumari Jyoti, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 20-02-2015 Heard Mr. J.P. Shukla, learned senior counsel assisted by Ms. Kumari Jyoti, learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

The petitioner seeks bail in Bihta P.S. Case No. 260 of 2014 dated 24.04.2014 instituted under Sections 406 and 420/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that basically the grievance of the informant is against the sons of the petitioner, who are said to have taken money though at one place the name of the petitioner has also been introduced. However, it is submitted that one of the sons namely Raj Narayan Giri has given undertaking before the court below in his Anticipatory Bail Petition No. 23126 of 2014 that he would clear the entire dues of the informant. Learned counsel submits that the petitioner also undertakes to ensure that all the dues of the informant are paid within three months from today.

Learned counsel for the informant, in view of such, does not oppose the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on provisional bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapur in Bihta P.S. Case No. 260 of 2014.

The petitioner shall ensure that the entire dues of the informant are paid to him latest by 31st of May, 2015 and an affidavit shall be filed before the court below latest by 2nd June, 2015 bringing materials on record to show payment of the same. If the same is done, the provisional bail granted to the petitioner shall be confirmed by the court below. In the event no such affidavit is filed by 2nd June, 2015 before the court below, the provisional bail granted to the petitioner shall be deemed to be cancelled and the court below shall take steps for taking the petitioner into custody.

The application shall stand disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

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