

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 30000 of 2015

Arising out of

Criminal Miscellaneous No. 16646 of 2014

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Vijayendu Prakash, Son of Ardhendu Prasad Srivastava, resident of
Mohalla - Bichla Telpa, P.S. Town, District - Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

4 02-09-2015

Heard learned counsel for the parties.

The petitioner seeks bail in Doriganj P.S. Case
No. 157 of 2013 dated 10.12.2013 instituted under Sections
420/467/468/471 of the Indian Penal Code.

The present application has been filed for
extending the period fixed by the Court for payment of Rs.
4,70,000/- to the informant within six months as per the order
dated 09.12.2014 passed in Cr. Misc. No. 16646 of 2014.

Learned counsel for the petitioner submits that
even the petitioner pursuant to the said order actually came
out of prison on 01.06.2015 as in similar cases he was under
custody.

It is, therefore, submitted that there was no
deliberate or willful laches on the part of the petitioner in not
complying with the order and accordingly prayer is made to

grant him one more indulgence. In the second supplementary counter affidavit filed on behalf of the petitioner, a categorical statement has been made at paragraph no. 5 in which it has been stated that the petitioner is ready to pay Rs. 4,70,000/- to the informant within four and a half months. However, learned counsel for the petitioner today says that due to inadvertence it was mentioned within four and a half months, whereas it should have been latest by 15th January, 2016.

Learned A.P.P. does not oppose.

Taking into account the fact that earlier the Court has granted indulgence to the petitioner which though was not complied with and for which the petitioner is now again in prison, accepting the offer made on behalf of the petitioner, let him be released on provisional bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in Doriganj P.S. Case No. 157 of 2013. The petitioner shall pay Rs. 4,70,000/- to the informant latest by 15th January, 2016. After payment being made, the petitioner shall file an affidavit enclosing materials to show that the entire payment of Rs. 4,70,000/- has been paid to the informant before the Court below. Upon the same being done, the provisional bail granted to the petitioner shall be confirmed. In the event of failure to do so, the bail bonds of the petitioner shall stand cancelled and he shall be taken into

custody and it shall be deemed that the prayer for bail of the petitioner has been rejected by this Court.

The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

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