

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9535 of 2015

Arising Out of PS.Case No. -1785 Year- 2011 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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1. Sudhir Kumar Singh s/o Late Fuleshwar Singh resident of village -
Bencholha, P.S. Sour Bazar, District - Saharsa, at present Manas Nagar
Hatiyagachhi , Ward No. 32, P.S. and District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Dr. Shikha Choudhary wife of Alok Kumar Sinha resident of Mohalla -
Pratap Nagar, Ward No. 16, Saharsa p.s. and District - Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate.
For the State : Mr. Amrendra Pd.(APP)
For O.P. No.2 : Mr. Satish Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 16-07-2015 Heard the parties.

The petitioner seeks anticipatory bail in a case instituted
for the offences under Sections 406 and 420 of the Indian
Penal Code.

Allegation has been made that for the purposes of
purchasing 1 Katha of land an amount of Rs.2,50,000/- was
given. Rs.2,25,000/- was paid through a cheque and Rs.
Rs.25,000/- was paid in cash.

Learned counsel for the petitioner submits that petitioner
is ready to return all the amounts within six months.

In view of the aforesaid statement, petitioner is directed
to pay all the amounts within six months and first installment
of Rs.50,000/- will be paid by the petitioner to the other side

within one month from today and rest amount in equal installment of Rs.50,000/- will be paid within six months having interval of one month.

In view of the aforesaid direction, in the event of arrest or surrender within four weeks from today, let petitioner, namely, Sudhir Kumar Singh, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in connection with Complaint Case No. 1785 of 2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal procedure. It is made clear that if petitioner would fail to pay the amount of installment on any occasion the other side will be at liberty to file an application for cancellation of bail. If the amount is paid the parties are expected to take steps before the court below and court below will pass an order in accordance with law looking to the facts and circumstances of the case.

(Shivaji Pandey, J)

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