

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50601 of 2014

Arising Out of PS.Case No. -569 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

Ranvijay Kumar son of Sri Madan Singh, resident of village- Chipura, P.S.-
Gopalpur, Dist.- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Rajendra Sharma, son of Late Sakaldeep Sharma, resident of village-
Babhanapura, P.S. Phulwari Sarif, Dist.- Patna

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Niraj Kumar

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

7 15-12-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No. 569 (c) of 2013 registered for the offences
punishable under Sections 406 and 420 the Indian Penal Code.

Learned counsel for the petitioner submits that he
agrees to pay the entire amount to opposite party no. 2 but he
could not arrange the same, as he has hoped to make good the
amount after selling the land, which he proposed to do but since
the same said sale deed did not materialize, consequently, the
agreement arrived at by him, has not been complied with and as
such, he prays for further time in this regard. It is submitted that he
shall pay the entire amount within a period of six months from

today.

Learned counsel for the Opposite Party No. 2 submits that the huge amount of around Rs. 10 lacs has been taken by the petitioner but out of the said amount only a sum of Rs. 50,000/- has been repaid till date. However, the petitioner had agreed that a sum of Rs. 3 lacs would be paid by December, 2015 and the rest would be paid in equal installments by July, 2016. He further submits that if the petitioner is able to pay a sum of Rs. 3 lacs which was due with him by December, 2015 as per the earlier agreement, the opposite party no.2 has no objection.

After considering all facts and circumstances of the case, this court directs that the petitioner shall pay 50 percent of the amount due with him as on date by 1st of March, 2016 and if the petitioner does so let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks thereafter, from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Patna, District - Patna in connection with Complaint Case No. 569 (c) of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that, if the petitioner fails to

comply with the agreement and pay the rest amount of money within the time frame and agreed upon by the parties, it shall be open for opposite party no. 2 to move this Court for modification of the order or to approach the Court below for any action in accordance with law including cancellation of the bail.

(Anjana Mishra, J)

Jagdish/-

U		T	
---	--	---	--