

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4526 of 2016

=====

Pramod Gami

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey (App)

=====

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 06-04-2016 The petitioner seeks modification of order, dated 22.12.2015 passed in Criminal Misc. No.51371 of 2015.

The petitioner is the proprietor of Jan Vikash Swayamsevi Sansthan, Maharajganj, Madhubani. It is alleged by the informant, Vijay Kumar Dutt, that he deposited a sum of Rs.3,50,000/- of investors in the petitioner's firm. However, the said money has not been utilized for the LIC Policy.

It appears that the petitioner earlier moved this Court for grant of anticipatory bail in Criminal Misc. No.51371 of 2015 which was disposed of by order, dated 22.12.2015 with the following observations:

“In my view, the petitioner should surrender and pray for regular bail, which would be disposed of preferably on the same day on its own merit without prejudice, also taking into consideration that the informant has not

produced any document in support of his contention that any amount has been paid by him after 2008 with petitioner”

The petitioner submits that the incident is of the year 2008 and the informant has filed the instant case in the year 2014. He next submits that without prejudice he is willing to deposit a sum of Rs.1,20,000/- in the court below, which is more than 33% of the total amount, subject to result of the criminal proceedings.

In view of the facts that the petitioner is willing to deposit a sum of Rs.1,20,000/- in the court below, I am inclined to modify the order dated 22.12.2015 passed in Criminal Misc. No.51371 of 2015 with the following conditions:

- (i) The petitioner would deposit a sum of Rs.1,20,000/-, in two installments, within a period of eight weeks from today in the court below.
- (ii) The first installment of Rs.50,000/- would be deposited within four weeks from today and the second installment of Rs.70,000/- would be deposited within next four weeks.
- (iii) On deposit of the first installment, the

petitioner Pramod Gami would be released on bail in connection with Madhubani (Town) P.S. Case No.152/2014 (GR No.843 of 2014) on furnishing bail bond of Rs.5,000/- to the satisfaction of the Chief Judicial Magistrate, Madhubani.

The order dated 22.12.2015 passed in Criminal Misc. No.51371 of 2015 is modified to the extent indicated above.

(Samarendra Pratap Singh, J)

KHAN/-

U			
---	--	--	--