

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13633 of 2016

Arising Out of PS.Case No. -141 Year- 2014 Thana -RUPASPUR District- PATNA

Manoj Kumar Singh, S/o Late Balbihari Singh, Resident of Tarwara More
P.S., P.O. & District- Siwan Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. A.Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

5 20-09-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Rupaspur P.S. Case No. 141 of 2014, disclosing offences under Sections 402, 406 and 120B of the Indian Penal Code.

Allegedly, the petitioner duped the informant of a sum of Rs. 5,00,000/-. An amount of Rs. 3,50,000/- was allegedly deposited in the account of Brahama Motors owned by the petitioner and further amount of Rs. 1,50,000/- was paid to him in cash, as alleged in the First Information Report.

Taking a line of resistance, learned counsel for the petitioner while denying the allegations made in the First Information Report has submitted that the petitioner is ready to deposit a sum of Rs. 3,50,000/-, which was deposited in his account through RTGS in the court, below subject to final decision of the Court. As regards Rs. 1,50,000/- said to have been paid in

cash, there is complete denial.

Considering the nature of dispute between the parties and stand taken on behalf of the petitioner, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Shayamal Kumar, learned Judicial Magistrate 1st Class, Danapur in connection with Rupaspur P.S. Case No. 141 of 2014, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This will be, however, subject to the condition that the petitioner deposits a sum of Rs. 3,50,000/- before the court below within a period six weeks from today.

This is subject to further condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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