

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24464 of 2016

Arising Out of PS.Case No. -1732 Year- 2014 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Bijay Kumar Singh, son of Sri Lakhan Mahto, resident of Village-
Chethariyapir, P.S.-Korha, District-Katihar

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Sultan, son of Md. Peskar Ali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv

For the Opposite Party/s : Mr. Dr.Kumar Uday Pratap (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-05-2016

Petitioner is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 420 of the Indian Penal Code.

The prosecution case is that the petitioner purchased potato worth Rs. 1,50,000/- from the complainant on credit but subsequently failed to pay the consideration amount. Subsequently the petitioner assured the complainant to make payment and executed the agreement also but the payment was not made.

It is submitted by learned counsel for the petitioner that petitioner is ready to make payment within a period of four months, though statement to that effect has not been made in the petition.

Considering the nature of accusation, let the

petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for five months on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Katihar in connection with Complaint Case No. 1732 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by learned Court below on deposit of the consideration amount of Rs. 1,50,000/- through bank draft drawn in favour of the informant within a period of four months before learned Court below when the informant will be obliged to withdraw/compromise the case after receipt of the draft of consideration amount.

(Dinesh Kumar Singh, J)

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