

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37594 of 2016

Arising Out of PS.Case No. -60 Year- 2015 Thana -GAYA COMPLAINT CASE District- GAYA

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Shankar Rawani son of late Jitan Rawani resident of village Gaurkanti
police station Sudamdih District Dhanbad, Jharkhand

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Chandra Bose

For the Opposite Party/s Mr. Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

6 19-12-2016 Heard learned counsel for the petitioner as well as learned

Additional Public Prosecutor for the State assisted by learned counsel for the

complainant.

Petitioner seeks bail in a case in which cognizance has been
taken for the offence under section 420 of the Indian Penal Code.

Petitioner happens to be managing director of the concerned
company in which complainant claims to have deposited Rs 90,000/-. The
claim of the complainant is that even after maturity his amount was not
returned.

Learned counsel appearing for the petitioner submits that
petitioner does not have any concern with the alleged transaction and
according to the complainant case itself, other accused allured the
complainant to deposit in the concerned company. However, the petitioner is
ready to return Rs. 1, 50,000/- (one lac fifty thousand) in instalment to the
complainant without admitting the case of the complainant.

Learned counsel appearing for the complainant does not raise



any objection to the aforesaid proposal. However, he submits that the complainant is entitled to get more than Rs. 1, 80,000/- from the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, petitioner above named is directed to be released on bail 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, Sherghati District Gaya in Complaint Case No.60 of 2015 subject to the condition that he shall deposit Rs. 1, 50,000/- (One lac fifty thousand) within three months in two equal installments in the court below. The first instalment shall be deposited within a month from the date of acceptance of bail bonds and after that second instalment shall be deposited within two months from the date of deposit of first instalment. It is made clear that if the petitioner does so, the learned court below shall hand over the aforesaid amount to the complainant after taking proper receipt thereof. It is further made clear that the aforesaid deposited amount shall be subject to final disposal of the aforesaid case. Any failure on the part of the petitioner shall give liberty to the learned trial court to cancel the bail bonds of the petitioner.

(Hemant Kumar Srivastava, J)

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