

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25087 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -MUFFASIL District- AURANGABAD

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Surajdeo Singh @ Surydayal Singh @ Suraj Deo Yadav S/o Late Bhikhar
Yadav R/o Village- Lapura, P.S.- Aurangabad (Muff.), District-
Aurangabad (Bihar)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh, Advocate

For the Opposite Party/s : Mr. Kumar Virendra Narayan (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

6 08-09-2016 Supplementary affidavit is filed on behalf of the
petitioner.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Sections 406, 420, 506, 504/34 of the Indian Penal Code.

At the very outset, learned counsel appearing for the
petitioner submits that petitioner is ready to return the amount in
question in installments and today, petitioner has brought a draft
of Rs.50,000/-. It is further submitted that petitioner is ready to
face trial and the aforesaid deposit of the amount shall not be
treated as admission of the prosecution case.

Learned counsel for the petitioner further submits that,
as a matter of fact, the petitioner is said to have received

Rs.7,70,000/- through cheques whereas rest amount is said to have been paid to the petitioner in cash but petitioner has already returned some amount to the informant.

Learned counsel appearing for the informant refutes the above stated submissions and submits that the informant is ready to receive the Bank Draft and the informant has no objection in respect of the proposal made by the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, the 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 C.J.M., Aurangabad (Bihar) in connection with Aurangabad (M) P.S. Case No.28 of 2016, subject to the condition that he shall pay Rs.8,70,000/- to the informant in equal installments within one and half years from the date of his release. It is made clear that the first installment shall be paid to the petitioner within a month from the date of release of the petitioner. It is also made clear that any failure on the part of the petitioner shall give liberty to the court below to cancel the bail bonds of the petitioner.

(Hemant Kumar Srivastava, J)

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