

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37602 of 2016**

Arising Out of PS.Case No. -126 Year- 2015 Thana -DARBHANGA District- DARBHANGA

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1. Dilip Paswan Son of Late Laxmi Paswan, resident of Mohalla-Ratnopatti, P.S- Town, District- Darbhanga.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
 2. Ranjeet Kumar, son of Late Ram Prasad Nayak, resident of Mohalla-Lalbagh, P.S- Town, District- Darbhanga.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Iqbal Asif Niazi  
 For the State : Mr. Akbar Ali  
 For the informant: Mr. Manish Kumar no.13

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

05/ 05.12.2016 Heard learned counsels for the parties.

Petitioner apprehends his arrest in connection with a case registered under sections 420, 406 and 504 of the Indian Penal Code.

At the very outset, without admitting the prosecution case, a proposal is made on behalf of the petitioner that the petitioner could deposit Rs 1, 25,000/- with the court, if he is ordered to be released on bail and the aforesaid deposited amount shall be subject to final decision of the court.

Learned counsel appearing for the petitioner submits that although there was partnership dispute between the parties and in course of business transaction, cheques/drafts were given and receipts were executed but even then the petitioner is ready to deposit the above stated amount.

Learned counsel appearing for the informant does not



raise any objection.

Accordingly, this anticipatory bail application is allowed and it is ordered that, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub Judge IV-cum- Addl. Chief Judicial Magistrate, Darbhanga in Darbhanga Town P.S. Case no. 126/2015 subject to conditions as laid down under section 438(2) of the Cr.P.C and furthermore, at the time of furnishing bail bond before trial court the petitioner shall deposit a draft/cheque of Rs 50,000/- duly executed in favour of the informant and after execution of bail bond, he shall deposit the remaining amount of Rs 75,000/- within two months in equal instalment in the same process, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

However, it is made clear that draft/cheque so deposited by the petitioner before the court below shall be handed over to the informant after getting proper receipt. It is also made clear that the above stated deposited amount shall be subject to final decision of the case.

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(Hemant Kumar Srivastava,J)

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