

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.645 of 2017

Arising Out of PS.Case No. -215 Year- 2016 Thana -PATLIPUTRA District- PATNA

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Birendra Kumar, son of Shree Ganesh Dutt, resident of village - Newari,
P.S. - Makhdumpur, District - Jehanabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : M/S. A.K. Thakur and Rajeev Nayan,
Advocates.

For the State : Dr. Indihar Kumari, A.P.P.

For the Informant : Rjani Kant Pandey, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-01-2017 Heard learned counsels for the petitioner, informant and
learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Patliputra P.S. Case No. 215 of 2016 for the offences
instituted under Sections 406 and 420 of the IPC.

The prosecution story, in brief, is that the petitioner
being the sales representative did not deposit Rs. 16,21,000/- into
the account of the company.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering with the witnesses alleged against the petitioner. He has
falsely been implicated in the present case. There is no substantive



evidence to suggest his implication in the present case. It is further submitted that the petitioner is ready to deposit an amount of Rs. 7,84,000/- in the court below which may be released in favour of the informant subject to final disposal of the case. Out of Rs. 7,84,000/-, Rs. 4,00,000/- shall be deposited by him within a period of eight weeks and the remaining amount Rs. 3,84,000/- shall be deposited in another six weeks.

Learned counsel for the informant has expressed his willingness to accept the aforesaid amount Rs. 7,84,000/-which is to be deposited by the petitioner.

Considering the aforesaid facts and circumstances, it is directed that out of Rs. 7,84,000/-, Rs. 4,00,000/- shall be deposited by the petitioner within a period of eight weeks and remaining amount Rs. 3,84,000/- shall be deposited in another six weeks in the court below which may be released in favour of the informant subject to final disposal of the case and on doing so, let the petitioner above named, be released on provisional anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Patliputra P.S. Case No. 215/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class,



Patna,, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once, the entire amount is deposited by the petitioner within a period of fourteen(14) weeks, the provisional bail granted to the petitioner shall be confirmed by the learned court below.

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(Sudhir Singh, J)

