

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40800 of 2017**

Arising Out of PS.Case No. -302 Year- 2017 Thana -PIRBAHOR District- PATNA

=====

Awadh Kishore Gupta Son of Late Ram Lakhan Gupta, Resident of  
1/1/H/1U Kailash Road, P.S. ikbal Khidirpur, District-24 Paragana South,  
West Bengal.

.... .... Petitioner/s

Versus

The State of Bihar

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

=====

**Appearance :**

For the Petitioner/s : Mr. Digamber Kr. Singh

For the Opposite Party/s : Mr. Binod Kumar 2

=====

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      22-09-2017                      Heard learned counsel for the petitioner and learned  
counsel for the State.

In this case, the petitioner is apprehending his arrest  
in connection with Pirbahore P.S. Case No. 302 of 2017 registered  
for offences under sections 420, 406, 120(B) of the Indian Penal  
Code.

It appears from the complaint petition that it is a  
business agreement between the petitioner and the Informant. An  
allegation has been made that the Informant had paid an amount to  
the petitioner for the business and the money is lying with him.

A fair stand has been taken by the petitioner that he is  
ready to deposit the amount, in question, i.e. Rs. 6,74,000/- but, in  
six equal monthly installments and he will deposit the first



installment on the day of surrender itself before the court below and the court below will invest the amount at proper place so that the money should earn the maximum amount of interest. Whosoever will succeed will be paid the said amount.

In view of the aforesaid undertaking, let the petitioner, namely, Awadh Kishore Gupta, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 Chief Judicial Magistrate, Patna in connection with Pirbahore P.S. Case No. 302 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

It is made clear that if the petitioner fails to deposit any installment in time, the anticipatory bail, so granted, will be treated to have been withdrawn.

**(Shivaji Pandey, J)**

Rishi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

