

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27229 of 2018

Arising Out of PS.Case No. -154 Year- 2017 Thana -CHAND District- BHABHUA
(KAIMUR)

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RAM SANEHI PANDEY, S/O LATE KINA RAM PANDEY (PEON
BLOCK OFFICE CHAND), R/O VILLAGE- PATERI, P.S.-
CHAND, DIST.- KAIMUR AT BHABUA.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Vinod Kumar Seth, Adv.

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 09-05-2018

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor.

It has been submitted on behalf of petitioner that at an earlier occasion, on an assurance having at the end of the petitioner to deposit the misappropriated amount vide order dated 13.12.2017 passed in Cr. Misc. No.59597/2017 the learned lower court was directed to ascertain the quantum of misappropriated amount which has been procured by the learned lower court out of which rupees two lacs has been deposited by the petitioner. For the present, Rs.3,89,663/- still remains to be deposited which, petitioner is unable to manage on account of being under custody. Furthermore, it has also been submitted that petitioner is unable to deposit the amount in lump sum and so installment of Rs.25,000/- per month be fixed to enable the petitioner to deposit the remaining due amount.



Learned Additional Public Prosecutor did not object.

Accordingly, petitioner Ram Sanehi Pandey is directed to be released on provisional bail till saturation of due amount on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of learned ACJM, IVth, Kaimur at Bhabua in connection with Chand P.S. Case No.154/2017, subject to condition that he will deposit the remaining amount appertaining to Rs.3,89,663/- on monthly basis on installment of Rs.25,000/- in court on first week of every month. In case of failure in depositing even a single installment, the bail bond of the petitioner will automatically cease to survive and in the aforesaid background, the learned lower court will be at liberty to proceed against the petitioner in accordance with law. However, after saturation of the due amount, the learned lower court will confirm the provisional bail.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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