

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.20590 of 2018**

Arising Out of PS.Case No. -657 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE District -  
MUZAFFARPUR

=====

1. Purushottam Sahay, Son of Late Rajeshwar Prasad Srivastava, Resident of Mohalla-Hanumant Nagar, Gandak Colony, Balughat, P.S.-Town, District-Muzaffarpur

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Santosh Kumar, Son of late Jagarnath Prasad, Resident of Mohalla-Srikandanpur, Near F.C.I. Godwon, P.S.-Town, District-Muzaffarpur.

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

=====

**Appearance :**

For the Petitioner/s : Mr. Abhay Kumar

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      26-04-2018      Heard the parties.

The petitioner is apprehending his arrest in connection with Trial No.1293 of 2017 arising out of Complaint Case no.657 of 2014 , registered for offences punishable under Sections 323, 420 and 504 of the Indian Penal Code.

Allegation against the petitioner is that he agreed for selling his house on Rs.5,00,000/- and he has taken advance of Rs.4 lac from the informant and now he is not returning the money and also not executing the sale-deed.

Submission of the learned counsel for the petitioner is that he has taken loan on the land as such he could not executed the



sale-deed and he is ready to return the money, which has been taken by him from the informant, if some reasonable time is granted to him.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the petitioner to surrender before the court below within a period of six weeks from the date of receipt of the order with bank draft in favour of the informant of Rs.1,25,250/- and on such he will be released on provisional bail for a period of three months and he has to pay the remaining amount in three equal installment of Rs.1,25,250/- payable in the first week of every month. It is made clear the if he fails to deposit any installment, his bail bond shall be cancelled and once the total amount is paid, his bail bond shall confirmed.

With the aforesaid direction, this application is allowed.

**(Vinod Kumar Sinha, J)**

chn/-

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

