

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5924 of 2018

Arising Out of PS.Case No. -15 Year- 2017 Thana -SAKSOHRA District- PATNA

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Ranjit Kumar, S/o Krishnandan Prasad, age about- 40 Years, resident of village - Badi Chaudhrainchak, P.S.- Belchchi, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ram Nawal Prasad, r/o village Durjanchak, P.S. Saksahra, Distt. Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate.
For the informant : Mr. Manish Kumar No. 2, Advocate.
Mr. Gajendra Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-04-2018 Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.

The petitioner apprehends his arrest in **Saksohra P.S. Case No. 15 of 2017** instituted for the offence under Sections 406, 420 and 506/34 of the Indian Penal Code.

Learned counsel for the informant is ready to accept the amount of Rs.8,00,000/- which he had given to the petitioner as consideration money.

Learned counsel for the petitioner has submitted that he will make payment of the aforesaid amount in four equal installments.

In such circumstances, this application is disposed off



with direction to the petitioner to surrender in the court below i.e. **Sri A.K.Thakur, learned Additional Chief Judicial Magistrate-cum-Sub Judge, Barh, Distt. Patna, or his successor**, within a period of four weeks from the date of receipt/production of a copy of this order along with valid receipt showing payment of 1st installment of Rs.2,00,000/- by way of Demand Draft to the informant and in that event the court below will enlarge the petitioner on provisional anticipatory bail for a period of four months in the event of surrender/arrest of the petitioner named above, in connection with **Saksohra P.S. Case No. 15 of 2017**, to its own satisfaction, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

The petitioner is directed to make payment of remaining amount in three equal installments by 15th of every



month. The court below will confirm the provisional bail granted to the petitioner after making payment of the entire amount of Rs.8,00,000/- to the informant as ordered above and on producing valid receipts showing payment of total amount of the installment.

It is made clear that in the event the petitioner does not surrender before the court below with receipt showing payment of 1st installment of Rs.2,00,000/- within a period of four weeks from the date of receipt of this order or the petitioner commits default in making payment of single installment as ordered above, the court below will be at liberty to pass appropriate order in accordance with law including cancellation of provisional bail granted to the petitioner.

(Sanjay Priya, J)

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