

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63373 of 2018

Arising Out of PS. Case No.-72 Year-2018 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

=====

Arun Kumar Singh Son of Lalan Singh R/o Village+P.O. Bampali P.S.
Udwanthnagar, Distt.-Bhojpur, At present D-3, Fourth floor near Gausala
Temple (Basant Kunj)Kishangarh,New Deli-110070

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Sri Ashok Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-12-2018 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Hajipur Industrial P.S. Case No.
72 of 2018 dated 03.05.2018 instituted for the offences
under Sections 406, 420 and 120B of the Indian Penal
Code.

The informant is alleged to have given a total
amount of Rs. 7.5 lakhs to the petitioner and another
associate of his viz. Rambriksha Kumar for the purposes
of obtaining employment through back door. When the
employment letter was not provided to the informant, he
demanded money from the petitioner and another but
except for being misbehaved with, he did not get back



anything.

Learned counsel appearing for the petitioner has submitted that though some amount has been deposited at the instance of the informant in the bank account of the petitioner and another but the purpose of the transaction of money was different and not for providing job. However since the allegation is that the petitioner along with another has misappropriated approximately Rs. 7.65 lakhs of the informant, to adopt the line of least resistance, the petitioner has agreed to pay an amount of Rs. 2 lakhs in the State treasury which would be subject to the result of the present litigation and the petitioner would have his rights to contest the case on merits. The aforesaid statement of the petitioner appears to be bona fide.

Mr. Mahendra Thakur, learned counsel appearing for the complainant/informant has objected to the aforesaid offer and has submitted that he can at best agree for the deposit of money in his account.

Taking into account the respective submissions of the parties, it is directed that in the event of the petitioner depositing an amount of Rs. 2 lakhs within a period of three months from today in the bank account of the informant and on submitting of the proof of the aforesaid payment, he shall be released on bail on his



surrendering before the court below and furnishing bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Hazipur in connection with Hajipur Industrial P.S. Case No. 72 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The informant shall also give an undertaking to the petitioner that in case the petitioner is not chargesheeted in the case, he shall return the amount to the petitioner within a period of three weeks of the filing of the report under Section 173 Cr.P.C.

With the aforesaid direction, the anticipatory bail petition is disposed off.

(Ashutosh Kumar, J)

krishna/-

U		T	
---	--	---	--

