

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53948 of 2018

Arising Out of PS. Case No.-460 Year-2016 Thana- GANDHIMAIDAN District- Patna

Umesh Kumar, aged about 30 years, Son of Bir Bahadur Rai, Resident of
Village- Kushar, Police Station- Taryani, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 12-12-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The petitioner are apprehending their arrest in
connection with Gandhi Maidan P.S. Case No. 460 of 2016 for
the offence under Sections 406, 420 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners
submits that from the order of the Court below it would be
evident that there was dispute as to Rs.12,72,500/- in connection
with the business transaction out of which the petitioner has
paid Rs.9,15,000/- and petitioner is still ready to pay rest
amount to the informant in installments in order to settled the
dispute whereas opposite party is filed to turn up before the
Court.

Considering the aforesaid fact the Court is inclined



to grant anticipatory bail noticing the undertaking of the petitioner. Learned Court below is directed to see condition that the petitioner shall pay the balance amount of Rs.3,47,000/- within a period of one year in four equal installments. Let the petitioners above named, in the event of arrest or surrender within one month from today, be released on provional bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Court of Learned Chief Judicial Magistrate, Patna in connection with Gandhi Maidan P.S. Case No. 460 of 2016, subject to the conditions as laid down under Section 438 Cr.P.C. Provisional bail granted to the petitioner shall be made absolute by the Court below on payment of the balance amount Rs.3,47,000/- within period of one year.

(Anil Kumar Upadhyay, J)

T.Kr./Rashid

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