

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20131 of 2018

Arising Out of PS.Case No. -68 Year- 2018 Thana -KANKARBAGH District- PATNA

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1. Ravi Kumar Jha Son of late Tej Narayan Jha Resident of Mohalla-
R.M.S. Colony, Kankarbagh, Flat No. 606/B, Suman Palace, Police Station-
Kankarbagh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-05-2018 Heard learned counsel for the petitioner.

The petitioner apprehends his arrest in connection with
Kankarbagh P.S. Case No. 68 of 2018 registered for the offences
punishable under Sections-406 & 420 of the Indian Penal Code.

Allegation against the petitioner is that the informant
made an agreement to purchase the shop in Rs. 95 lacs. The
informant gave Rs. 30,000,00/- (thirty lacs) to the land lord
whereas; Rs. 9,00,000/- (nine lacs) was given to the petitioner.
After lapse of three months, the aforesaid shop was not vacated
and so, possession of the shop was not handed over to the
informant. Thereafter, the aforesaid agreement was cancelled and
a legal notice was sent to the petitioner. Thereafter, Rs.
30,000,00/- (thirty lacs) was returned by land lord Sushil Kumar



Tibriwal but the petitioner did not return his money i.e. 9 lakhs and he is evading to return the aforesaid amount on one pretext or the other.

Heard learned APP as well as learned counsel for the informant who opposed the prayer stating that in spite of sending legal notice by the informant, the petitioner did not return the amount to the informant.

Learned counsel for the petitioner submits that the petitioner is ready to return the amount of Rs. 9,00,000/- (nine lakhs) to the informant in five equal installments.

Having heard both sides and considering the submission of the parties, the petitioner is directed to pay Rs. 1,80,000/- as Ist installment to the informant within a period of six weeks from the date of receipt/production of copy of this order. In the event, the petitioner deposits Rs. 1,80,000/- through bank draft to the petitioner, the learned court below shall release the petitioner on provisional anticipatory bail with condition that he will pay rest amount in four equal installment within four months in the first week of the each month.

It is made clear that on payment of full amount of Rs. 9,00,000/- (nine lakhs), the anticipatory bail, granted to the petitioner shall be confirmed and if he makes default in payment



of single installment, the bail bond of the petitioner shall be liable to be cancelled.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

A.K.V./-

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