

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.61383 of 2017**

Arising Out of PS. Case No.-1286 Year-2014 Thana- PATNA COMPLAINT CASE District-  
Patna

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Ranjit Yadav S/o Late Rameshwar Gope, R/o Mohalla- Ranipur, Patna City,  
P.S.- Mehadiganj, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sadhu Sharan Prasad Singh S/o Late Rupan Singh, R/o Mohalla- Chitragupta  
Nagar, P.S.- Patrakarnagar, District- Patna.

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                                               |
|--------------------------|---|---------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Ajay Kr. Thakur & Mr. Malay Kumar<br>Choudhary, Advocates |
| For the Opposite Party/s | : | Mr. Sabal Kumar Jha, Advocate                                 |
| For the State            | : | Ms. Anita Kumari Sinha, APP                                   |

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

5      23-04-2018              Heard learned counsel for the petitioner, complainant and  
learned APP for the State.

Petitioner apprehends his arrest in complaint case no.  
1286/2014 instituted for the offence under Section(s) 406 and  
420 of the Indian Penal Code.

Learned counsel for the petitioner submits that as  
per agreement he admits to have received an amount of Rs.  
3,00,000/- (Three lacs) from the complainant. He is ready to  
make payment of the aforesaid amount to the complainant by



way of demand draft subject to final decision of the case. Learned counsel for the petitioner has denied of having received an amount of Rs. 5,75,000/- which is claimed by the complainant to have been paid to the petitioner Vide Annexure-C2 to the counter affidavit.

Learned counsel for the informant submits that petitioner may make payment of the admitted amount to him at present and the final amount will be determined during course of the trial.

Learned counsel for the petitioner submits that petitioner is ready to make payment of Rs. 3,00,000/- to the complainant subject to final decision of the case. Counsel for the complainant has no objection to such proposal of the petitioner.

In such circumstances, the application is disposed off with a direction to the petitioner to surrender before the court below i.e. ACJM- V, Patna City, in connection with Trial no. 731 of 2017, in complaint case no. 1286 of 2014 within a period of four weeks from the date of receipt/production of a copy of this order along with receipt showing payment of Rs. 1, 50,000/- ( one lacs fifty thousand) by way of demand draft to the complainant in terms of the order of this Court and in that event the court below will release the petitioner on provisional



anticipatory bail for a period of two months, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner 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.

Thereafter, the petitioner will make payment of the remaining amount of Rs. 1,50,000/- ( one lacs fifty thousand) by the next month and thereafter the Court below will confirm the provisional anticipatory bail of the petitioner.

It is made clear that in the event the petitioner does not surrender with valid receipt showing payment of the amount and in the event of default in making payment of rest amount, the court below will be at liberty to pass appropriate order in accordance with law. The payments made by the petitioner to the complainant will be subject to the final decision of the case.



The application is disposed off.

**(Sanjay Priya, J)**

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