

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16639 of 2018

Arising Out of PS.Case No. -415 Year- 2017 Thana -BAKHTIARPUR District- SAHARSA

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1. Mukesh Bhagat @ Mukesh Kumar Bhagat, S/o Upendra Bhagat,
Resident of Village- Latraha, P.S.- Supaul, District- Supaul, at present
Residing at Baijnathpur, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Singh, Adv.

For the Opposite Party/s : Mr. Upendra Pd. , Adv.

Mrs. Veena Kumari Jaiswal, Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-06-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Bakhtiyarpur P.S.Case No.415 of 2017 registered for offences
punishable under Sections 420 and 406 of the Indian Penal Code.

Allegation against the petitioner is that he has taken
Rs.6,63,000/- from O.P.No.2 and Rs.4,83,000/- is dues with the
petitioner.

Submission of the learned counsel for the petitioner is that
no any cheat of payer has been produced by O.P.No.2 in support
of his claim and if the same will be produced he is ready to pay
back the money.

Heard learned A.P.P. and the learned counsel for the
O.P.No.2. They have opposed the prayer for bail stating that he
had no any paper with regard to the money given to him, in such



circumstances, the matter be sent to the Mediation Committee as the petitioner is not ready to settle the dispute.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner, however, if the petitioner surrenders before the learned court below within a period of six weeks from the date of receipt of the order along with a bank draft of Rs.01 lac in favour of O.P.No.2, he will be released on provisional bail in connection with Bakhtiyarpur P.S.Case No.415 of 2017 on condition that he will pay rest Rs.03 lac and the last installment of Rs.83,000/- in four installments, payable in the first week of each month and as such deposit whole amount within four months.

The aforesaid amount shall be payable subject to result of the case and if such amount is deposited, his bail bond shall be confirmed. It is also made clear that failure to deposit any installment, his bail bond shall be cancelled.

It is also made clear that the aforesaid amount will be released in favour of O.P.No.2.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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