

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.6286 of 2018**

Arising Out of PS.Case No. -73 Year- 2017 Thana -MALI District- AURANGABAD

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1. Balchand Paswan, S/o Late Doman Paswan, R/o Village- Mali, P.S.-  
Mali, District- Aurangabad.

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Ranjit Kumar Singh, son of late Baikunth Singh, resident of village-  
Pararia, P.S.-Mali, district-Aurangabad.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rakesh Singh, Advocate  
For the Opposite Party/s : Md. Anzarul Haque Sahara, APP  
For the Opposite Party No.2: Mr. Ashok Kumar Singh, Advocate

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

6      23-07-2018                      Heard learned counsel for the petitioner and learned  
APP for the State as well as counsel for the Opposite Party No.2.

Petitioner apprehends his arrest in **Mali P.S. Case  
No.73 of 2017** instituted for the offence under Section(s) 406 and  
420 Indian Penal Code.

Counsel for the petitioner submits that matter was  
sent to Mediation Centre where dispute has been settled between  
the parties. Report of the Mediator is available on record,  
wherein, it is mentioned that petitioner has paid rupees thirty  
thousand to the Opposite Party No.2 on 12.07.2018 by cash and  
rest amount will be paid by the petitioner during one year in  
installment.

Counsel for the petitioner further submits that rest



amount i.e. Rs.9,20,000/- will be paid by the petitioner within a period of one year.

In such circumstances, this application is disposed off with direction to the petitioner to surrender before the Court below **Additional Chief Judicial Magistrate, V, Aurangabad**, in connection with **Mali P.S. Case No.73 of 2017**, with Affidavit that he will make payment of Rs.9,20,000/- to the Informant within one year in three equal installments by Demand Draft and, in that event, the Court below will release the petitioner on provisional anticipatory bail for a period of one year to its own satisfaction, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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.

During the period of provisional bail, petitioner will make payment of the entire amount i.e. Rs.9,20,000/- in three



installments. Provisional bail of the petitioner will be confirmed on payment of entire money.

It is made clear that if petitioner defaults in making payment of single installment, his provisional bail will be liable to be cancelled.

JA/-  
Rohit Kr.

(Sanjay Priya, J)

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