

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13150 of 2018

Arising Out of PS.Case No. -493 Year- 2015 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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Tara Mishra, Son of Durga Mishra, Resident of Village- Murila, P.S.-
Choutarwa, District- West Champaran, Bettiah.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Singh

For the Opposite Party/s : Mr. Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-04-2018

Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Bagha
P.S.Case No. 493 of 2015 registered for the offences punishable
under Sections 409 and 120B/34 of the Indian Penal Code.

It appears that petitioner being Chairman of PACS has
taken loan from the Bank for purchase of paddy but he has not
repaid the same and he has to repay a total amount of
Rs.6,04,722/- including interest.

Submission of learned counsel for the petitioner is that
due to unavoidable circumstances he could not deposit the amount
but he is ready to deposit the same in instalment if some
reasonable time is granted to him.

Heard learned APP also.



Having heard both sides and in view of submission, this application is disposed of with a direction to the petitioner to deposit Rs.1,04,722/- by way of Bank Draft within a period of one month before the court below and on such deposit the court below will release the petitioner on provisional bail subject to payment of rest of the amount in equal five instalments, i.e., Rs.1 lac in each following five months in first week of every month. It is made clear that failure to make payment of any of the instalments his bail bond shall be cancelled. Once the total amount is deposited, the learned court below will confirm his bail bond. It is needless to say that the payment of amount will be subject to result of the case.

(Vinod Kumar Sinha, J)

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