

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54777 of 2018

Arising Out of PS. Case No.-21 Year-2018 Thana- SHRIKRISHNAPURI District- Patna

Sumant Prasad son of late M.S. Prasad Resident of House No. 53, Mohalla
Patliputra Colony, P.S.Patliputra and District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Dilip Kumar Thakur son of Jagarnath Thakur resident of Yash Home 185 B,
Sahdeo Mahto Marg, P.S.- Shri Krishna Puri and District Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar Singh

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 27-09-2018 Heard learned counsel for petitioner and learned
counsel for the State as well as learned counsel for the
Informant.

Petitioner seeks bail in **Krishna Puri P.S. Case No.
21 of 2018** registered for the offence punishable under Sections
406 and 420 of the Indian Penal Code.

Allegation against the petitioner is of entering into
development agreement with informant and taking Rs. 30
Lacs and Rs. 50,000/- by cheque and cash and subsequently
neither refunding the amount nor enforcing the
development agreement.

It has been submitted on behalf of the petitioner



that he admits that he had taken Rs. 8,00,000/- from the developer (Informant) and is ready to refund the same. It has been further submitted on behalf of the petitioner that no criminal offence is made out rather the dispute is purely a civil dispute. Petitioner has got no criminal antecedent and is in custody since 21.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on **provisional bail for a period of four months** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **ACJM, Patna**, in connection with **Krishna Puri P.S. Case No. 21 of 2018**, with following conditions:-

(1) Petitioner shall pay Rs. 2,00,000/- per month to the Informant-O.P. No. 2 for a period of four months and after payment of last installment of Rs. 2,00,000/- the provisional bail of the petitioner shall be confirmed and if the petitioner fails to pay the total amount of Rs. 8,00,000/- in four months, his bail shall stand cancelled.

(2) Payment made shall be subject to outcome of the case.

(S. Kumar, J)

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