

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23291 of 2019

Arising Out of PS. Case No.-975 Year-2018 Thana- AHYAPUR District- Muzaffarpur

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Brajesh Kumar, aged about 25 years Gender Male, Son of Shankar Kishore Singh @ Rakesh Kishore Singh Resident of Village- Chhauni, Police Station- Tariyani, District- Shivhar at present Mohalla- Ganesh Pur, Police Station- Ahiyapur, District- Muzafarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prakash Kumar Singh, S/o late Satya Narayan Singh, Gandhi Nagar, Road No.4, Koldua, Pagampur, PS- Ahiyapur, District- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajiv Ranjan, Advocate
For the State	:	Mr. Md. Arif, APP
For the O.P. No.2	:	Mr. S.K. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 16-07-2019

Heard learned counsel for the petitioner; learned APP for the State and learned counsel for the opposite party no. 2.

2. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the provisional anticipatory bail granted to the petitioner by order dated 15.04.2019 stands confirmed in the following terms on the basis of the undertaking given by learned counsel for the petitioner.

(a) The petitioner shall transfer Rs. 1,00,000/- in the account of the opposite party no. 2 latest by 15th August, 2019.



(b) Another Rs. 1,00,000/- shall be transferred in the account of the opposite party no. 2 by the petitioner latest by 15th September, 2019 and the remaining 1,00,000/- shall be transferred into the account of the petitioner latest by 18th of September, 2019.

3. Upon the entire 3,00,000/- being paid in terms of the schedule indicated hereinabove, the Court below shall confirm the provisional anticipatory bail granted to the petitioner.

4. Learned counsel for the petitioner submitted that due to some communication gap, he had informed the petitioner that the Court had only protected him from coercive action and not about provisional anticipatory bail being granted to the petitioner.

5. In view thereof, the time granted for the petitioner to surrender before the Court below stands extended by a further period of two weeks from today.

6. It is made clear that the provisional anticipatory bail to the petitioner shall be confirmed only after 18th of October, 2019 and that too upon the Court recording a finding that the payments agreed to by the petitioner have been paid as per the time schedule indicated above. In the event, there is any default on the part of the petitioner, upon the opposite party no. 2 filing an application before the Court below, the bail bond of the petitioner



shall stand cancelled and it will be deemed that the present application has been rejected and he shall be taken into custody.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P.Kumar

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