

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21336 of 2019

Arising Out of PS. Case No.-126 Year-2017 Thana- RAMGARH District- Kaimur (Bhabua)

VIRENDRA PRASAD SRIVASTAVA @ BIRENDRA PRASAD Son of Mohan Lal Srivastava Resident of Village-Baraon, P.S-Nokha, District-Rohtas. At present Principal Assistant, Atirikt Prathmik Swasthya Kendra, Bakhari Devi, P.S-Chainpur, District-Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kulanand Jha

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 28-06-2019 This application, for grant of anticipatory bail, arises out of Ramgarh P.S. Case No. 126 of 2017, disclosing offences under Sections 406, 420, 506 and 34 of the Indian Penal Code.

Prosecution case as per F.I.R. is that petitioner has taken Rs. Four lakhs from the complainant and Rs. Three lakhs from one Jitendra Kumar on assurance that he will return the money after selling the house. It further appears that out of four lakhs, he has issued two cheques of Rs. One lakh, which were dishonored by the bank on presentation.

Submission of learned counsel for the petitioner is that the real fact is that he has taken Rs. Two lakh from the informant and Rs. One lakh from Jitendra Kumar and he has



agreed to pay Rs. Two Lakh to the informant, if some time is allowed to him.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is disposed of with direction to the petitioner to surrender in the court below within a period of six weeks from the date of receipt of order along with a bank draft of Rs. One Lakh drawn in favour of the informant and the court below after verifying the same shall release the petitioner on provisional for a period of six weeks, during which, the petitioner will pay the another Rs. One lakh to the informant by way of bank draft and once the amount of Rs. Two Lakh is paid to the informant, the provisional bail granted to the petitioner shall be confirmed.

Needless to say, the aforesaid payment will be subject to the final outcome of the case.

(Vinod Kumar Sinha, J)

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