

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23941 of 2019

Arising Out of PS. Case No.-402 Year-2018 Thana- BIKRAM District- Patna

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KUMAR SUJIT Son of Late Kameshwar Prasad Resident of Mohalla-
Indrapuri, Sipara, P.S.- Beur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Pandey
For the Opposite Party/s : Mr.Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 04-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Bikram P.S.Case No.402 of 2018 registered for offences punishable under Sections 406 and 420 of the Indian Penal Code.

Prosecution case is that the petitioner was working in the Motor India Agro Foods Pvt,. Ltd. and he collected Rs.14,71,940/- from the suppliers and he has not deposited the same in the Company and defalcated the same and later on he has also accepted the same even a written undertaking has been given that he will return the same .

Heard learned counsel for the petitioner and the learned counsel for the O.P.No.2 .

Submission of the learned counsel for the petitioner is that he is ready to pay the amount on some reasonable time in installments, however, after some argument, both the parties



agreed for payment of Rs.10 lac.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender before the learned court below within a period of four weeks from the date of receipt of the order along with the bank draft of Rs.01 lac in favour of the Motor India Agro Foods Pvt. Ltd., his bail bond shall be extended for a period of six months, and during that period, he has to pay rest Rs.09 lac to the Company in six equal installment of Rs.1,50,000/- each and once the above amount of Rs.10 lac is deposited by the bank draft in favour of the O.P.no.2 his bail bond shall be confirmed . It is needless to say that if any application is filed by the O.P.no.2 for withdrawal of the amount, the same shall be released in favour of the O.P.No.2 on an undertaking that he will abide by the condition . It is also made clear that the above payment will be subject to final outcome of the case.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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