

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36033 of 2019

Arising Out of PS. Case No.-466 Year-2018 Thana- DANAPUR District- Patna

ADITYA KUMAR @ SHASHI @ VIKRAMADITYA KUMAR S/O- Raj
Mangal singh R/O. Mohalla- New Gosai Tola, Gola Road, Near Dr. D. Ram
D.A.V. Public School, P.S.- Danapur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Singh, Advocate
For the informant	:	Mr. Kanhaiya Pandey, Advocate.
		Mr. Neerad Prashar, Advocate
For the Opposite Party/s :		Mr.Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 09-08-2019 Heard learned counsel for the petitioner, counsel
for the informant and the State.

The petitioner seeks bail in **Danapur P.S. Case No. 466 of 2018**, instituted for the offence under Section(s) 420, 406 and 468/34 of Indian Penal Code.

It is alleged in the written report that informant paid an amount of Rs.36,51,000/- to the petitioner for purchase of a piece of land. The informant made request with the petitioner to execute sale deed, but he did not execute the same.

Counsel for the informant has appeared and submitted that an amount of Rs.20,00,000/- has been paid by him through Bank transaction and rest amount has been paid in



cash.

Counsel for the petitioner admits about receiving payment of Rs.18,00,000/- through Bank and submits that he will pay the aforesaid amount in installment subject to final decision of the case. He further submits that petitioner will make payment of Rs.5,00,000/- to the informant at the time of furnishing bail bond and the rest amount shall be paid by him in three equal installment within a period of three months from the date of his release on bail.

In such circumstances, the prayer for bail of the petitioner is allowed subject to the condition that he will furnish valid receipt of making payment of Rs.5,00,000/- to the informant by Demand Drafts at the time of furnishing bail bonds. Let the petitioner above named, be released on provisional bail for three months on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-1st, Danapur**, in connection with **Danapur P.S. Case No. 466 of 2018**, subject to the condition that both the bailors will be close relatives of the petitioner.

Petitioner shall also file undertaking at the time of furnishing bail bonds that he shall make payment of remaining



amount to the petitioner in three equal installment within a period of three months from the date of his release on bail.

It is made clear that in the event the petitioner makes default in making payment of installment, his bail bonds shall be cancelled by the court below. The provisional bail shall be confirmed in the event the petitioner makes payment of remaining amount of Rs.13,00,000/- to the informant within three months from the date of his release. The aforesaid payment made by petitioner shall be subject to final decision in the case.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

