

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55789 of 2019

Arising Out of PS. Case No.-409 Year-2017 Thana- ARA NAWADA District- Bhojpur

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ARVIND SINGH @ ARVIND KUMAR SINGH Son of Late Shivaji Singh
Resident of Village - Araura, P.O.- Dularpur, P.S.- Udwant Nagar, District -
Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Ishwar Mahto S/o late Shiv Govind Mahto, village Rampur, P.O.
Krishngarh, P.S. Ara Mufassil, District Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parmatma Singh
For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 420, 120(B), 504 of the Indian Penal
Code.

Allegation is that the accused persons cheated the
complainant/informant and grabbed his money.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case. The
matter relates to civil dispute. Other co-accused Ranjit Singh



has been granted bail by the court below by order dated 06.08.2019 vide Bail Petition No.838 of 2019 with the following conditions.

“The lower court would enlarge the accused petitioner on provisional regular bail on furnishing bail bond of Rs.10,000/- with two sureties of like amount.

Within a period of a week the accused petitioner shall hand over a Bank Draft/Banker's Cheque to the tune of Rs.2,35,000/- to the informant through the receipt on the record.

Then after two months from the date of first payment the accused petitioner shall hand over another Bank Draft/Banker's Cheque to the tune of Rs.2,35,000/- through the receipt on the record.

Again then after a period of two months the accused petitioner shall made last payment to the tune of Rs.2,35,000/- to the informant through Bank Draft/Banker's Cheque to the informant through receipt on the record.

After payment of third installment the lower court shall confirm the provisional bail. Without a word of saying the time frame for payment would be essence of this order; violation would entail custody of the accused petitioner.

Accordingly, this bail application is hereby allowed in aforesaid terms.”



In compliance of the said order, other co-accused has already deposited an amount of Rs.5,70,000/-. The last installment as per the said order is due in the month of February, 2020. The matter has already been resolved between the informant and other co-accused. Hence, the petitioner be granted anticipatory bail.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Arrah in connection with Ara Nawada P.S. case No.409 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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