

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.892 of 2020

Arising Out of PS. Case No.-463 Year-2019 Thana- BRAHMPUR District- Buxar

Indrajit Prasad @ Indra Ji Prasad Son of Munsu Ram Resident of Village - and
P.O. - Diwan ke Badaka Gaon, P.S.- Sikraul, Distt – Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 25-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for anticipatory bail apprehending his arrest in connection with Brahampur P.S Case no. 463 of 2019 registered for the offence under sections 409, 420 and 34 of the Indian Penal Code.

As per the allegation in the FIR, on a complaint having been filed, on the orders of the District Magistrate an enquiry committee was constituted which submitted its report. The report found the basis for lodging of the FIR wherein Rs. 1,40,402/- was found to be recoverable from each of the eight named accused persons including the petitioner herein.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR including the enquiry report are false and concocted. In fact there is no allegation of



misdeed against this petitioner. It is further submitted that the petitioner has no criminal antecedent and the petitioner being a Panchayat Rojgar Sewak, is a government employee.

The application for bail has been opposed by learned APP for the State submitting that the allegations against all the accused persons including this petitioner are direct in nature and some of the accused persons have been given the benefit of bail on having deposited the recoverable amount of Rs. 1,40,402/-.

At this stage it is submitted by learned counsel for the petitioner that although the petitioner is financially not capable of depositing the said amount in one installment, however, if the Court so directs he may deposit the said total amount in three equal installments.

Having heard learned counsel for the parties, it is directed that the petitioner shall deposit a sum of Rs. 46,801/- on or before 7.4.2020, he shall deposit the second installment of Rs. 46,801/- on or before 7.5.2020 and the last installment of Rs. 46,800/- on or before 7.6.2020.

Having heard learned counsel for the parties and taking into consideration the above stated facts and circumstances, the Court is inclined to enlarge the petitioner on bail. The petitioner, above named, in the event of his arrest or



surrender in the Court below within a period of six weeks from today in connection with Brahampur P.S Case no. 463 of 2019 is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

In case the petitioner defaults in payment of any one of the above three installments, the bail granted to the petitioner by this order shall be cancelled and he shall be taken into custody.

(Partha Sarthy, J)

Prakash/-

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