

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7378 of 2020

Arising Out of PS. Case No.-1184 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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ARVIND KUMAR, aged about 40 years, Male, Son of Late Parmeshwar Singh Resident of Village-Jangalia Tola, P.S.-Danapur, District-Patna.

... .. Petitioner

Versus

1. The State of Bihar

2. Harendra Rai, aged about 43 years, Male, son of Late Sangam Lal Rai, R/o Gyaspur, P.S. - Maner, District – Patna.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Manoranjana Kumar, Advocate

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

Although the complainant has appeared on his own. Let the complainant be added as opposite party no. 2 in course of the day.

The petitioner is seeking anticipatory bail in connection with Complaint Case No. 1184(C) of 2018 registered under Sections 406 of the Indian Penal Code.

Learned counsel for the petitioner submits that on perusal of Annexure '3' to the present application it will appear that the complainant had entered into an agreement with one Vishnu Dayal for purchase of land and against the



said agreement he had paid certain amount to said Vishnu Dayal. This petitioner had on behalf of Vishnu Dayal received a sum of Rs. 1,00,000/- which according to him he has already handed over to said Vishnu Dayal. At this stage, for purpose of anticipatory bail, the petitioner is ready to pay Rs. 1,00,000/- which he had received from the complainant but without prejudiced to his case.

Learned counsel for the informant as well as State are present. Learned counsel for the informant has no objection to the same.

In the given facts and circumstances of the case, let the above-named petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur (Patna), in connection with Complaint Case No. 1184(C) of 2018, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

Further condition that at the time of submission of the bail bond within the aforesaid period of four weeks the petitioner shall pay at least Rs. 50,000/- to the informant by way of Bank Draft drawn in his name on a nationalized Bank and the rest Rs. 50,000/- shall be paid in similar manner to the informant within another one month. The payment would however be without prejudice to the defence of the petitioner.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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