

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23312 of 2020

Arising Out of PS. Case No.-2 Year-2020 Thana- BANMANKHI District- Purnia

PRAMOD KUMAR JAISWAL, Son of Sri Bhagawan Prasad Jaiswal,
Resident of Village- Basudevpur, P.S.- B.Kothi (Barhara Kothi), District-
Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Pramod Kumar Mallick, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-10-2020 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection
with Banmakhi P.S. Case No. 02 of 2020 for the offence under
Sections 406 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent.

Referring to the prosecution case, learned counsel for
the petitioner submits that the present case is offshoot of
commercial transaction, as the agreement was entered between
the department and the petitioner as well as others in relation to
use of vehicle on hire / rental basis.

Considering the fact that the dispute pertains to the
encashment of amount payable in terms of the agreement, the



petitioner named above, in the event of arrest or surrender before the court below within one month from the date of communication of this order, is directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Purnia in connection with Banmankhi P.S. Case No. 02 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the further condition that the petitioner shall deposit Rs.50,000/- (Fifty thousand) cash in the court below and the same shall be abide by the final outcome in the trial i.e. if the petitioner is acquitted the amount of Rs.50,000/- shall be refunded in favour of the petitioner, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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