

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26975 of 2020

Arising Out of PS. Case No.-363 Year-2019 Thana- BENIPATTI District- Madhubani

Shashitaj Kumar Suman, Son of Krishan Kumar Thakur, Resident of Village-
Rajiya, P.S.- Benipatti, District- Madhubani

... .. Petitioner/s

Versus

1.The State of Bihar
2. Arbind Thakur, son of Sudarsan Thakur, R/V Ranipur Mathari, P.S.
Benipatti, District-Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Birendra Kumar, Advocate
For the S t a t e	:	Mr.Ajay Kumar Jha, APP
For the Informant	:	Mr. Bishwajeet Pandey, Advocate Mr. Bharat Bhushan, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

8 05-03-2021 Heard learned counsel for the petitioner and the

learned APP for the State as well as the learned counsel for the

informant.

The petitioner is apprehending his arrest in
connection with Benipatti P.S. Case No.363 of 2019 registered
for the offence punishable under Sections
4406/420/120B/195/506 and 34 of the Indian Penal Code.

The allegation is that the petitioner has taken monthly
instalments in the name of some deposits. The informant has
alleged that a total amount of Rs.1,90,000/- (One lac and ninety
thousand) is due.

It is submitted by the petitioner's counsel that without



prejudice to his rights at the trial and without admitting to the liabilities alleged, the petitioner is willing to deposit the amount of cheque, i.e., Rs. 41,000/- (Forty one thousand), for which the case has been lodged.

In view of the fair stand taken by the petitioner's counsel, this Court is inclined to allow the prayer for anticipatory bail.

Such deposit shall be subject to the result of the case. Let the same be done within four weeks.

If such deposit is made within four weeks, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of two weeks thereafter, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Benipatti, Madhubani, in connection with Benipatti P.S. Case No.363 of 2019, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will



also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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