

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30052 of 2020

Arising Out of PS. Case No.-1633 Year-2018 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Deepak Kumar Son of Upendra Rajak @ Upendra Prasad Rajak Resident of Urdu Bazar, P.S.- Tatarpur, District - Bhagalpur at present Resident of Mohalla - Bank Colony, Govindpur, P.S.- Govindpur, District-Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the State : Mr. Sanjeeb Kumar Sanju, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 29-01-2021 Heard learned counsel for the petitioner and the learned APP for State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

Petitioner apprehends arrest in connection with Bhagalpur Complaint Case No 1633 of 2018, instituted for the offence under Section(s) 406, 420 and 34 of the Indian Penal Code.

Without prejudice to the petitioner's defence at the trial, the counsel for the petitioner, upon instructions, submits that for the present, he is willing to deposit the admitted dues of Rs. Four lakh before the learned Court below.

Learned counsel for the informant submits that the deposit of the amount shall in no way dilute the case against the



petitioner and he would be facing the consequence otherwise.

Considering the rival submissions, this Court is inclined to extend the privilege of anticipatory bail to the petitioner subject to the condition that petitioner shall deposit the amount of Rs. Four lakhs within a period of four (04) weeks from today.

Upon deposit of Rs. Four lakhs within a period of four weeks from today, the petitioner, above named, in the event of surrender/arrest before the court below, within four (04) weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, VIIIth, Bhagalpur, in connection with Complaint Case No 1633 of 2018 subject to the conditions as laid down under Section 438(2) Cr. P.C. 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.

(Madhuresh Prasad, J)

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