

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35706 of 2020

Arising Out of PS. Case No.-61 Year-2019 Thana- SASARAM NAGAR District- Rohtas

SATISH KUMAR S/o Mahendra Gupta R/o Mohalla- Sherganj, Ward No. 17,
P.S.- Sasaram (T), District- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Choubey

For the Opposite Party/s : Mr.A.P.P

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 25-10-2021 Heard Sri Surendra Kumar Choubey, learned counsel
for the petitioner and Sri Chandra Bhushan Prasad, learned APP
for the State.

Petitioner seeks anticipatory bail in Sasaram (T)
Darigaon P.S. Case no. 61 of 2019 registered for the offence
punishable under sections 406 and 420 of the Indian Penal
Code.

Learned counsel for the petitioner submits that against
the petitioner there is one case being Sasaram (Muffasil) P.S.
Case no. 32/2019 under section 406 of the Indian Penal Code.
Learned counsel for the petitioner further submits that petitioner
was allotted the work for completing Nal-Jal Yojana of ward
no.9, Gram Panchayat Beladhi. Further petitioner was issued
two cheques for amount of Rs 1,65,744/- and Rs 6,30,000/- on



08.04.2018, though in the prosecution story, inadvertently, it has been recorded as Rs two lac instead of six lac total amounting to Rs 7, 95,744/- and the same was withdrawn by the petitioner.

Learned APP for the State submits that two other accused Devanti Devi and Ram Narayan Sah filed Cr. Misc. no. 35600/2020 and they were granted anticipatory bail with certain conditions that Devanti Devi was permitted to deposit Rs 2 lac and Ram Narayan Sah was permitted to deposit Rs 1 lac vide order dated 22.10.2021 in Cr. Misc. no. 35600/2020 . Further, learned APP submits that if petitioner is willing to deposit the amount equal to that of Devanti Devi and Ram Narayan Sah on same parity, anticipatory bail of the petitioner shall be considered.

Learned counsel for the petitioner on instruction what has been submitted by learned APP submits that he may be permitted to deposit the amount of Rs 2 lac in the court below.

Considering the aforesaid facts and circumstances of the case in its totality, petitioner is permitted to deposit an amount of Rs 2 lac in the court below within a period of two months from today which shall be subject to the final outcome of the case. In the event of arrest/surrender within ten weeks from today, petitioner is directed to be released on anticipatory



bail provisionally on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Rohtas at Sasaram in Sasaram (T) Darigaon P.S. Case no. 61 of 2019 subject to the condition under section 438(2) Cr.P.C.

It is made clear that if the petitioner deposits the total amount as aforesaid in the court below within the stipulated period of two months as permitted, the court below shall confirm the provisional anticipatory bail granted to the petitioner. In case the petitioner fails to deposit the amount in question, the court below shall be at liberty to cancel the bail bond of the petitioner.

(Satyavrat Verma, J)

s.hassan/-

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