

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4656 of 2021

Arising Out of PS. Case No.-420 Year-2020 Thana- ARA NAGAR District- Bhojpur

Abhinav Vivek, son of Sri Arvind Kumar Verma, resident of Channo Hazaribagh, P.O., P.S. and District - Hazaribagh, Jharkhand

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Prasoon

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-11-2021 Heard learned counsel for the petitioner and

learned APP for the State.

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

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 406, 405, 34, 120B of the Indian Penal Code.

It is alleged by the informant that the informant



entered into an agreement with A.B. Data Infotech Privated Limited for purchase of a land and deposited a sum of Rs. 4,00,000/- in the account of the company and Rs. 3,00,000/- in the account of one Ashutosh Kumar, an agent of the company and co-villager of the informant on whose instigation, the petitioner entered into an agreement with the company, but neither land has been executed in favour of the informant nor money has been returned.

It is submitted by learned counsel for the petitioner that petitioner is Manager of the aforesaid company and the money has not been handed over to him by the informant. The main allegation is against co-accused Ashutosh Kumar and the petitioner cannot be only held responsible. The petitioner, however admits that informant has paid Rs. 3,00,000/- to co-accused Ashutosh Kumar. Hence, in order to pay his part of amount which amounts to Rs. 75,000/- out of Rs. 3,00,000/-, the petitioner has already paid Rs. 35,000/-



in the account of the petitioner and undertakes to deposit Rs. 20,000/- in the account of the informant on or before 04.01.2022 and the rest amount of Rs. 20,000/- shall be paid by the petitioner in the account of the informant on 04.03.2022. A supplementary affidavit to that effect has already been filed before this Court.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Arrah in connection with Arrah Town P.S. Case No. 420 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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