

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 12654 of 2021

Arising Out of PS. Case No.-271 Year-2018 Thana- BARURAJ District- Muzaffarpur

Krishna Bhagat, Gender- Male, aged about 40 years, Son of Shiv Yogi Bhagat, Resident of Village- Andaul, P.S.- Baruraj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

3 08-02-2022 Heard the parties through video conferencing.

The petitioner seeks bail in anticipation of his arrest in connection with Baruraj P.S. Case No. 271 of 2018 instituted for the offences punishable under Sections 406, 420 and 34 of the Indian Penal Code.

On 04.01.2022, this Court noted the submission of learned counsel for the petitioner that the petitioner is ready to return the amount. However, today learned counsel for the petitioner states that the amount is to be returned by three persons and the petitioner cannot be put to liability. As the order which was held by the Supreme Court that the condition for depositing and returning the amount cannot be imposed and, therefore, the client follow such order. At the same time,

however, the bona fide of the petitioner is apparently not justified as he had obtained the order of interim bail on the basis of promise of returning the amount.

Be that as it may, taking into the nature of allegation and the amount not deposited, I am not inclined to grant anticipatory bail to the petitioner.

This application is dismissed.

(Sanjeev Prakash Sharma, J)

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