

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26453 of 2021

Arising Out of PS. Case No.-7 Year-2020 Thana- RAMKRISHNANAGAR District- Patna

Jay Prakash Sinha Son of Bindi Prasad R/o village - Telia Mai, Post - Ope,
P.S. - Aungari, District - Nalanda. At present R/o West Ram Krishna Nagar,
Near Agrani Apartment, P.S. - Ramkrishna Nagar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Rajeev Kumar, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP
For the informant	:	Mr.Abinash Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 18-04-2022 Heard learned counsel for the petitioner, learned APP
for the State as well as learned counsel for the informant.

The petitioner apprehends his arrest in connection
with Ramkrishna Nagar P.S. Case No.07 of 2020 registered for
offences under Sections 419 and 420 of the Indian Penal Code.

Learned counsel for the petitioner has produced a
demand draft in the name of Subida Kumari, the informant of
this case, which is the amount which the informant has claimed
that she had paid to the petitioner for purchase of land. He
submits that the petitioner is ready to return total amount in
question to the informant.

A copy of the demand draft is being kept on record.

Learned counsel for the informant has no objection to



the same.

Mr. Jharkhandi Upadhyay, learned APP for the State, has filed status report of the Senior Superintendent of Police, Patna dated 12.4.2022 pursuant to the earlier order of this Court but he has no objection to the aforesaid contention that the petitioner is ready to return the amount in the interest of justice.

The status report filed by Mr. Jharkhandi Upadhyay is taken on record.

Considering the same, the order dated 23.03.2022 is modified and Senior Superintendent of Police, Patna will now not take any steps against the petitioner in view of the fact that the petitioner has come forward to return the entire amount in question. The application for anticipatory bail is allowed.

Accordingly, let petitioner, above-named, in the event of his arrest or surrender within two weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sub Judge-XIII-cum-A.C.J.M, Patna in connection with Ramkrishna Nagar P.S. Case No.07 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

At the time of surrender, the petitioner will present



demand draft in the name of the informant which shall be kept by the court below in its safe custody and thereafter the court below will accept the bail bond of the petitioner. The court below will hand over the original demand draft to the informant and not to the Advocate. In case there is some defect found in the demand draft, the petitioner shall be duty bound to get the same corrected. The court below will verify the genuineness of bailors of the petitioners. One of the bailors shall be the son of the petitioner.

(Sandeep Kumar, J)

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