

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58947 of 2021

Arising Out of PS. Case No.-85 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

BACHU SAH S/o Late Safiq Sah R/o village- Fatehpur, P.S.- Industrial Area
(Zeromile), District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Md. Zami S/o Md. Sahbaj R/o village- Fatehpur, P.S.- Industrial Area,
District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Rajive Ranjan Singh, Advocate
For the State	:	Mr. H.A. Khan, APP
For O.P. No.2	:	Mr. Fakhruddin Ali Ahmad, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 12-09-2022 Heard both sides.

The petitioner apprehends his arrest in connection with Industrial Area P.S. Case No.85 of 2021, registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

The petitioner are said to have taken loan of Rs.3,00,000/- from O.P. No.2 in the year 2019, but he did not return the loan amount to O.P. No.2.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner has got one criminal antecedent as stated in paragraph-3 of the bail application. It is submitted that the petitioner has already paid Rs.39,000/- to O.P. No.2 in three installments and Rs.2,60,000/-



is due to be paid to O.P. No.2. It is further submitted that the petitioner is ready to pay the rest amount, i.e., Rs.2,60,000/- to O.P. No.2.

Considering the fact that the petitioner is ready to pay the rest amount, i.e., Rs.2,60,000/- to O.P. No.2, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of eight weeks from today, be enlarged on **provisional anticipatory bail** on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Industrial Area P.S. Case No.85 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that the petitioner shall deposit the rest loan amount, i.e., Rs.2,60,000/- in the Nazarat of the concerned court within a period of eight weeks from the date of surrender of the petitioner.

The aforesaid deposit of amount, i.e., Rs.2,60,000/- shall be subject to final outcome of the criminal case.

The learned court below is directed to confirm the provisional anticipatory bail granted to the petitioner after



verifying the fact that the petitioner has already deposited the
said loan amount in the Nazarat of the concerned court.

(Anjani Kumar Sharan, J)

Sanjay/-

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