

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64324 of 2021

Arising Out of PS. Case No.-588 Year-2021 Thana- PHULWARISHARIF District- Patna

SATISH KUMAR @ SATISH MALAKAR SON OF LATE JAGDISH
BHAGAT R/O VILLAGE- CHUNAUTI KUAN, BHAGAT SINGH
CHOWK, P.S.- PHULWARI SHARIF, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Srivastava, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 10-03-2022 Heard learned counsel for the petitioner, the State and
the informant.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 420 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, informant had executed an agreement for sale for purchasing land with the petitioner and other accused persons and paid Rs. One crore thirty seven lacs and sixty eight thousand seven hundred but they failed to execute the sale deed and on query accused persons abused the informant and snatched Rs.50,000/- from him.

Learned counsel for the petitioner denies the allegation of the informant. In paragraph 3 of second supplementary



affidavit, petitioner avers that he has undertaken to give Rs 55.31 lacs to the informant which is the agreement money vide agreement dated 24.2.2019 (Annexure 3 to the mail petition).

Learned counsel for the informant and the State oppose the prayer for bail.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Patna in jPhulwari Sharif PS case no. 588 of 2021 on the following conditions:-

1. Petitioner would return Rs.5 lacs to the informant within a week of his release and rest amount of Rs.50.31 lacs would be returned to the informant in five equal installments within further twelve months.

2. If the petitioner fails to comply with this condition, informant would be at liberty to proceed for cancellation of bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

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