

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76261 of 2019

Arising Out of PS. Case No.-383 Year-2019 Thana- KATIHAR NAGAR District- Katihar

Rakesh Kumar Ray, S/o Late Tirthanand Ray, R/o Anathalaya Road,
Premnagar, P.S.- Katihar Town, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Poonam Devi, Wife of Baijnath Mandal, Resident of Madhepura, P.S. Muffasil, District Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sanjeev Kumar Singh
For the State	:	Mr. Ganesh Prasad Singh
For O.P. No.2	:	Mr. Bhola Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 06-01-2022 Heard learned counsel for the parties through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of normal court proceedings. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in Katihar Nagar P.S. Case No.383 of 2019, registered for the offences punishable under Sections 341, 323, 354(B), 406 and 420 of the Indian Penal Code.

The petitioner is said to have cheated opposite party



no.2 for giving her son an employment in Merchant Navy.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. There is general and omnibus allegation against the petitioner. It is further submitted that the petitioner is ready to return Rs.1,20,000/- to opposite party no.2 in three equal installments.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on provisional anticipatory bail for six months 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, Katihar in connection with Katihar Nagar P.S. Case No.383 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that the petitioner has to pay the first installment of Rs.40,000/- at the time of furnishing bail bond. Thereafter the learned court below shall give Rs.40,000/- to opposite party no.2. The rest two installments of Rs.40,000/- each shall be paid by the petitioner to opposite party no.2 in the



next two months. Thereafter the learned court below shall confirm the provisional bail of the petitioner after verifying the fact that the petitioner has paid Rs.1,20,000/- to opposite party no.2.

(Anjani Kumar Sharan, J.)

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