

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10583 of 2023

Arising Out of PS. Case No.-542 Year-2022 Thana- PURNEA SADAR District- Purnia

1. Nitu Kumari Wife of Umesh Kumar Poddar @ Umesh Poddar R/o Sonauli Road Begeshwari Asthan, Abdulla Nagar, Gulabbagh, P.S.- Sadar, District- Purnea
2. Umesh Kumar Poddar @ Umesh Poddar Son of Tej Narayan Poddar R/o Sonauli Road Begeshwari Asthan, Abdulla Nagar, Gulabbagh, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pritam Jajodia Son of not given R/o 334 Jasar Road, P.S.- Laketown District- Kolkata- 700089 (West Bengal)

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-05-2023 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 409 and 420 of the Indian Penal Code.

It is alleged that petitioners took advance of Rs. 26 lacs from the informant for supplying maize. Later, petitioner No. 1, who is proprietor of the company, supplied maize worth Rs. 13 lacs and returned Rs. 50,000/- twice to the informant but remaining advance of Rs. 12 lacs has not been returned to



the informant.

It is submitted that during the pendency of the bail application, petitioners have paid Rs. 1,50,000/- (one lakh fifty thousand) in three installments of Rs. 50,000/- (fifty thousand) each on 28.03.2023, 20.04.2023 and 10.05.2023 (copy of the said transactions annexed as Annexure-2 to the supplementary affidavit). It is next submitted that petitioners are ready to pay rest of the amount i.e., Rs. 10,50,000/- (ten lakh fifty thousand) in equal monthly installments.

Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnia in connection with Sadar P. S. Case No. 542 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions that:-

(i) At the time of furnishing bail-bond, the petitioners shall refund Rs. 50,000/- (fifty thousand) to the informant through demand draft.



(ii) Rest amount i.e. Rs. 10,00,000/- (ten lacs) shall be refunded to the informant through demand draft in 20 equal monthly installments.

(iii) If the petitioners fail to comply, Court below is at liberty to cancel their bail-bond.

(Prabhat Kumar Singh, J)

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