

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14295 of 2023

Arising Out of PS. Case No.-734 Year-2021 Thana- BIHTA District- Patna

KAMLESH KUMAR S/o Umesh Prasad R/o Village- Bilap, P.S.- Bihta,
Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. advocate
		Mr. Sunil Kumar Pathak
For the Opposite Party/s	:	Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 10-08-2023 Heard learned counsel for the parties.

2. Petitioner apprehends his arrest in a case registered for the offence punishable under Section 406, 420 of the Indian Penal Code.

3. By filing supplementary affidavit, it is submitted that as per FIR, Rs. 19,86,000/- was transferred in the account of petitioner to execute the work and the petitioner has already completed the work worth Rs. 19,35,224/- as per letter No. 1373 dated 3.7.2023 issued by BDO, Bihta and without disputing or admitting the allegation petitioner is ready to deposit the balance amount of Rs. 50,776/-, subject to final result of the case.

4. Considering the facts of the case, nature of accusation against the petitioner, let the petitioner, above named,



in the event of his arrest/ surrender within a period of six weeks from today shall 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 ACJM-I, Danapur, Patna in connection with Bihta PS case No. 734/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C., in the light of following terms and conditions:-

(i) At the time of furnishing bail bond Rs. 50,776/- shall be deposited by the petitioner through bank draft in the court below.

(ii) If the petitioner fails to comply with the aforesaid direction of this court, the court below shall be at liberty to cancel the bail bonds of the petitioner.

5. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail. The amount so deposited by the petitioner shall be subject to outcome of the case.

(Prabhat Kumar Singh, J)

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