

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23879 of 2022**

Arising Out of PS. Case No.-255 Year-2021 Thana- BUNIYAD GANJ District- Gaya

Abhishek Kumar Son Of Ashok Kumar @ Ashok Kumar Singh Resident Of  
Mohalla - Magadh Colony, Road No. 12, Vinoba Nagar, Near Electricity  
Office, P.S.- Magadh Medical, District - Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Gopal Krishna

For the Opposite Party/s : Mr.Jitendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

13    02-08-2023                      Heard   learned   counsel   for   the   petitioner,  
  
informant and learned A.P.P appearing on behalf of the  
  
State.

The petitioner is languishing in custody in a  
  
case registered for the offences punishable under  
  
Sections 420, 468, 471 of the Indian Penal Code.

The prosecution case as per F.I.R is that the  
  
informant negotiated a deal with the petitioner to buy a  
  
Scorpio vehicle on 14.09.2021 for a sum of Rs.  
  
8,40,000/- and for that Rs. 7,50,000/- was paid in the  
  
Central Bank Account of Maa Motors (petitioner is the



coordinator of Maa Motors) and thereafter Rs. 90,000/- was paid by way of cash, further it is alleged that on 17.11.2021 while the informant was driving the car when at Masaurhi, the vehicle was seized by Chola Mandalam Finance on the ground that there is an outstanding dues of Rs. 5,80,000/- against the vehicle, thus, the informant alleges that the petitioner fraudulently sold the vehicle to him and thus cheated the informant.

It appears that vide order dated 19.05.2022, the petitioner was granted provisional bail and he was directed to file supplementary affidavit regarding settlement of the dispute.

In pursuance to the direction of this Court, a supplementary affidavit has been brought on record. From perusal of the supplementary affidavit, it appears that out of agreed amount of Rs. 3,90,000/-, the petitioner has already paid Rs. 1,00,000/- to the informant in his bank account on 19.07.2022 and so far



as remaining amount of Rs. 2,90,000/- is concerned, the petitioner agreed to pay Rs. 50,000/- per month to the informant till rest amount of Rs. 2,90,000/- is not paid.

It is submitted by learned counsel for the petitioner that petitioner shall pay Rs. 50,000/- per month to the informant from this month i.e. August, 2023 without fail till the rest amount of Rs. 2,90,000/- is not paid.

Learned counsel appearing on behalf of the informant corroborates this fact that petitioner has paid Rs. 1,00,000/- in the account of the informant and accepts the offer of the petitioner to pay Rs. 50,000/- per month without fail till rest amount of Rs. 2,90,000/- is not paid.

In that view of the matter, the provisional bail granted to the petitioner vide order dated 19.05.2022 is hereby confirmed.

The informant will be at liberty to file appropriate application for cancellation of bail of the



petitioner, if the petitioner fails to comply the undertaking given before this Court of paying Rs. 50,000/- per month without fail from this month i.e. August, 2023 till rest amount of Rs. 2,90,000/- is not paid.

**(Sunil Kumar Panwar, J)**

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