

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34646 of 2023

Arising Out of PS. Case No.-300 Year-2022 Thana- SAHPUR District- Patna

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Arun Kumar Singh @ Arun Kumar, Son Of Sudama Singh, Resident of
village - Laxmichack, P.S. - Shahapur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Advocate
		Mr. Alka Singh, APP
		Mr. Kumar Avinash, Advocate
For the Opposite Party/s :		Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-10-2023 Heard learned counsel for the petitioner as well as Mr.
Anil Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sahapur P.S. Case No.300 of 2022, F.I.R. dated 24.06.2022 registered for the offence punishable under Sections 409, 420, 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and other accused persons named in the FIR, embezzled Rs.2,08,62,683/- from Hathiya Kandh PACS from the year 2009 till 2015. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and has falsely been implicated in the present case. He further submits that the petitioner is ready to pay the entire amount of Rs.32,96,500/- to the



informant in twenty equal installments by way of Demand Draft, which starts from October, 2023.

5. Learned APP for the State, on the other hand, has no objection in this regard.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Ist, Danapur in connection with Sahapur P.S. Case No.300 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(i) At the time of furnishing bail bond, the petitioner shall pay the first installment by way of Demand Draft in favour of the informant before the learned court below and the learned court below is directed to hand over the said Demand Draft to the informant or his representative.

(ii) If the petitioner fails to pay any installment, the informant shall be at liberty to move before the appropriate court for cancellation of bail bond of the petitioner.



(iii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(iv) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(v) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Prakash Narayan

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