

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30088 of 2022

Arising Out of PS. Case No.-316 Year-2021 Thana- RUPASPUR District- Patna

SURYADIP KUMAR @ SUMAN KUMAR S/o Late Lala Paswan R/o
Mohalla - Rupaspur, Flat No. 401, Ganga City Apartment, P.S. - Rupaspur,
District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 23-06-2023 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420, 341, 323, 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner very fairly submits that petitioner admits that he had taken Rs.32 lakhs from the informant but for some reason and hardship he was not able to return the same in time. It is further submitted that petitioner has already paid an amount of Rs.5 lakhs, the rest amount left to be paid is Rs.27 lakhs. It is next submitted that petitioner will pay a sum of Rs.5 lakhs by 24.07.2023 and the rest Rs.22 lakhs within one year i.e. by 23.06.2024.

Learned counsel for the informant does not dispute



the submission made by the learned counsel for the petitioner but then submits that in the event if the amount as agreed is not paid then the informant will become remediless.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the 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 released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rupaspur P.S. Case No. 316 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, if the petitioner does not pay the amount of Rs.5 lakhs as agreed by 24.07.2023 the informant would be at liberty to file an application seeking cancellation of bail granted to the petitioner.

Learned counsel for the petitioner, at this stage, submits that the amount of Rs.5 lakhs as agreed is not paid by that time and in the event a cancellation application is filed



seeking cancellation of bail, the petitioner will not oppose the cancellation of bail. If the entire amount as agreed is paid within the time as recorded in the order hereinabove, learned counsel for the informant submits that the informant will withdraw the present case against the petitioner.

(Satyavrat Verma, J)

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