

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30495 of 2022

Arising Out of PS. Case No.-436 Year-2019 Thana- SIKARPUR District- West Champaran

AAKASH KUMAR S/o Madan Rai R/o Village- Akilabad, P.S.- Hajipur
Sadar, Dist- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 10-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State alongwith learned counsel for the informant.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406/420 of the Indian Penal Code and Section 66 of I.T. Act.

Learned counsel for the petitioner at the outset submits that no doubt allegation against the petitioner is that an amount of Rs. 5,00,000/- was credited from the account of the informant's father after his death but then petitioner is a labourer and he was completely unaware that under what circumstances the said amount was credited in his account. It is further submitted that petitioner thereafter even utilized the said amount which was credited in his account being a poor person when he ought to have brought this fact to the notice of the Authorities of



the Bank.

Learned counsel for the petitioner next submits that altogether an amount of Rs. 15,00,000/- (Fifteen Lakhs) was credited in two different account from the account of the informant's father after his death, it is next submitted that an amount of Rs. 10,00,000/- which was credited in the account of Madarsa has been repaid to the informant and the petitioner undertakes that within five months he will pay the amount of Rs. 5,00,000/- lakhs to the informant.

The learned counsel for the informant submits that he will WhatsApp the bank account No. of the informant on the WhatsApp number of the learned counsel for the petitioner and the learned counsel for the petitioner undertakes that the same would be forwarded to the petitioner so that the payment as agreed commences from 27.07.2023 and thereafter as agreed the amount would be credited i.e., by 29.11.2023.

Learned counsel for the informant does not oppose the anticipatory bail application 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 trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sikarpur P.S. Case No. 436 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, in the event it is made clear that in the event if the amount as agreed is not credited in the account of the informant then in that event, the informant would be at liberty to filed an application seeking cancellation of the anticipatory bail granted to the petitioner before this court.

The learned counsel for the informant at this stage submits that he will also withdraw the case against the petitioner after the amount is credited in his account.

(Satyavrat Verma, J)

Adnan/-

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