

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48693 of 2021

Arising Out of PS. Case No.-41 Year-2020 Thana- AAYAR District- Bhojpur

SUNIL GIRI Son of Nand Kumar Giri Resident of Village Fatehpur, P.S. Sahar, Dist. Bhojpur (Arrah).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandan Kumar Verma, Advocate
For the State	:	Ms. Asha Devi, APP
For the informant	:	Mr. Gopal Krishna, Advocate
		Mr. Sushil Kr. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 04-04-2023 The supplementary affidavit filed on behalf of the petitioner is kept on record.

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Ayar Police Station Case No. 41 of 2020, registered for the offences punishable under Sections 420, 406 of the Indian Penal Code.

Prosecution story in brief is that the petitioner fled away with total 8 lakhs rupees. The case was heard on 24.04.2023 and vide order, the petitioner voluntarily returned one lakh rupees out of the total amount of Rs. 8,46,570/-. Considering the past record of the petitioner the informant, who



is owner of the petrol pump has waived Rs. 4 lakhs and remaining amount was due to him as accepted by the petitioner to be paid back to the informant within a period as specified by this Court. This Court is to judge to the readiness of the petitioner directed to pay one lakh rupees within a week.

Mr. Gopal Krishna, learned counsel appearing on behalf of the informant informs this Court that the petitioner has handed over one lakh rupees out of settled disputed amount Rs. 4 lakhs. Today, the petitioner who is present in the Court along with Mr. Deepak, Jamadar, Ayar Police station has voluntarily expressed his desire that he will deposit the rest amount of Rs. 3 lakhs to the informant within a period of three months and in case the petitioner fails to deposit the aforesaid amount for any unavoidable reason, he may request to the informant for granting him any further time for the said purpose. Such time will be allowed not beyond the period of six months.

The police officer present in the Court will ensure the compliance of this order by the petitioner that the money as agreed by the petitioner which is required to be paid must be paid within the aforesaid period.

Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks, be



released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate VII, Bhojpur at Ara, in connection with Ayar Police Station Case No. 41 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and with a further condition that if the statement made in paragraph No.3 of the present bail application with respect to the criminal antecedent of the petitioner is found to be incorrect, this order will automatically will lose its force.

If the petitioner does not abide by any of the conditions of his undertaking mentioned above, this order will automatically lose its force.

(Purnendu Singh, J)

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