

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49683 of 2023

Arising Out of PS. Case No.-140 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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NIRMAL KUMAR @ NIRMAL PAL SON OF LATE LAL DHARI RAI
RESIDENT OF VILLAGE- MOHANPUR, PS- MANER, DISTT- PATNA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RAM RATAN PRASAD SON OF SRI RAMASHISH PRASAD
RESIDENT OF VILLAGE- MUSADHI, PS- KURTHA, DISTT- ARWAL,
AT PRESENT R/O- KHEDALPUR, PS- BIHTA, DISTT- PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Niwas Prasad, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-09-2023 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 406, 417 of the Indian
Penal Code.

3. By filing supplementary affidavit, learned counsel
for the petitioner submits that petitioner is ready to pay the
amount of Rs. 5,00,000/- (five lacs) to the complainant in
installments.

4. Considering the aforesaid contention made on
behalf of the petitioner, this anticipatory bail is allowed and it is
ordered that let the above named petitioner in the event of his
arrest/surrender before the court below within a period of six



weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Danapur, Patna in connection with Complaint Case No. 140 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further directions :-

(i) At the time of furnishing bail-bond, Rs. 1,00,000/- (one lac) shall be paid to the complainant through Bank Draft in the court below.

(ii) Rest amount i.e., Rs. 4,00,000/- (four lacs) shall be deposited in four equal installments within one year through Bank Draft in favour of the complainant.

(iii) If petitioner fails to comply with the aforesaid directions of this Court, the court below would be at liberty to cancel the bail-bond of the petitioner.

5. It is made clear that without going into the merit of the case, this order has been passed for the purpose of bail.

(Prabhat Kumar Singh, J)

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