

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51953 of 2023

Arising Out of PS. Case No.-291 Year-2022 Thana- RUPASPUR District- Patna

Rakesh Kumar Son of Param Hansh Sharma Mohalla Vrindavancolony PS
Danapur Dist Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 23-08-2023 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offence punishable under Sections 406, 420, 504 of the Indian Penal Code.
3. As per prosecution case, this petitioner took Rs. 5,75,000/- (five lacs seventy-five thousand) from the informant but failed to return the same and abused the informant.
4. Learned counsel for the petitioner disputes the alleged amount which is said to have been given to the petitioner by the informant. However, he admits that Rs. 2,93,000/- (two lacs ninety-three thousand) is the due amount that is to be given to the informant by the petitioner and accordingly, and he is ready to pay the same in installments.
5. 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 Additional Chief Judicial Magistrate- 1st, Danapur, Patna in connection with Rupaspur P. S. Case No. 291 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with direction to the petitioner that :-

(i) Petitioner shall refund Rs. 50,000/- (fifty thousand) through Bank Draft to the informant at the time of furnishing bail-bond and thereafter, rest amount i.e., 2,43,000/- (two lacs forty-three thousand) shall be deposited in six installments within one year through Bank Draft to the informant, failing which, the learned court below would be at liberty to cancel the bail-bond.

6. 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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