

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51843 of 2022

Arising Out of PS. Case No.-131 Year-2022 Thana- BIKRAMGANJ District- Rohtas

BISHESHWAR SINGH S/o Late Jag Narayan Singh Resident of Village-
Salempur, P.O.- Dharupur, P.S.- Bikaramganj, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Upadhyay, Adv.

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-01-2023 Heard learned counsel for the petitioner and the
State.

The petitioner apprehends his arrest in connection
with Bikramganj P.S. Case No. 131 of 2022 instituted under
Sections 406 and 420 of the Indian Penal Code.

The allegation against the petitioner is of cheating a
sum of Rs. 7,56,500/-.

Learned counsel for the petitioner by way of
supplementary affidavit specially in para-6 has stated that
through different modes, due to intervention of the police on
different dates, he paid Rs. 4,20,000/- out of Rs. 6,40,000/-
which he had taken and is ready to pay the rest Rs. 2,20,000/-.



The further submission is that so far as the allegation of 7,56,500 is concerned, it seems that there is some confusion between the petitioner and the informant with further submissions that if granted the privilege of anticipatory bail, beside payment of Rs. 2,20,000/- through Demand Draft to the informant in the bank account (SBI, Branch – Sasaram, IFSC- SBIN0000177, A/c No. 33955575832) , he shall ensure sitting with the informant and will sort out the differences and if any further amount remains due, he undertakes to pay the same.

Learned counsel for the informant submits that against the statement of the learned counsel for the petitioner of having taken only Rs. 6,40,000/-, there is additional sum of Rs. 7,56,500/-. He however, submits that if the petitioner is ready to pay Rs. 2,20,000/- and is further ready to sit with the informant to sort out the differences, he do not have any objection to it.

Taking into account the fair submission put forward by the respective parties as also the fact that the petitioner will be cooperating in the investigation and will further diligently appear in the trial , this Court is inclined to grant him relief subject to payment of Rs. 2,20,000, as stated above, with the



following conditions :

(i) he will be sitting with the informant and will try to sort out the differences on the amount that the informant has claimed and if both of them are agreeable to any amount, he shall be clearing the same at an earliest;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(iv) in case the petitioner defaults from the undertaking given, the informant will have liberty to take appropriate steps for cancellation of bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Bikramganj P.S. Case No. 131 of 2022 to the satisfaction of



learned Additional Chief Judicial Magistrate, I/c, Bikramganj,
Rohtas, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan
/Ajay Singh/-

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