

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63316 of 2023

Arising Out of PS. Case No.-99 Year-2022 Thana- SAHPUR District- Patna

PRABHAT KUMAR RANJAN @ UDAY SAMRAT @ UDAI SAMRAT Son
of Late Chandradev Yadav @ Chandradev Prasad Singh R/o vill - Vaidehi
Apartment, Jagdeo Path, P.S. - Rupaspur, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajnikant Singh Son of Nathuni Singh R/o vill - Baradih, P.S. - Nokha, Dist.
- Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rabindra Kumar, Advocate
	:	Mr. Shubham Kumar Singh, Advocate
	:	Mr. Madhukar Anand, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP.
For the Informant	:	Mr. Chandra Mohan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-10-2023 Heard Mr. Rabindra Kumar, learned counsel for the

petitioner, Mr. Chandra Mohan Singh, learned counsel for the

informant and Mr. Md. Aslam Ansari, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
16.07.2022 in connection with Shahpur P.S. Case No. 99 of
2022, F.I.R. dated 03.03.2022 registered for the offence
punishable under Sections 420,406,341,504,506/34 of Indian
Penal Code.

3. The prosecution case, in short, is that the informant
alongwith his mother and sister-in-law executed an agreement



for sale with the Director of M/s Patligram builders namely Prabhat Kumar Ranjan and Priya Mishra on 16.02.2020. He further alleges that till 03.06.2020 he had given a total of Rs.46,00,000/- (Forty Six Lacs) in furtherance of the aforesaid agreement. When the informant requested to get the sale deed executed the accused persons started abusing him and refused to get a sale deed executed.

4. Learned counsel appearing for the petitioner outrightly submits that he has stated in para-16 of the bail petition that the petitioner is ready to refund the entire amount of Rs.46,00,000/- (Forty Six Lacs), although the petitioner mentioned in para-16 of the bail petition that he has received the amount of Rs.40,50,000/- (Forty Lacs Fifty Thousand) only but after instruction learned counsel for the petitioner submits that he has received Rs.46,00,000/- (Forty Six Lacs) from the informant. Further submits that he will pay the entire amount in 18 equal installments and he will produce the demand draft. Petitioner is in custody since 16.07.2022.

5. Learned counsel for the informant has no objection in this regard. Further submits that the petitioner carries twenty more cases other than the present one.



6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Danapur, Patna in connection with Shahpur P.S. Case No. 99 of 2022, with the following conditions:-

(I) At the time of furnishing bail bond, the petitioner shall deposit Rs. 10,00,000/- (Ten Lacs) by way of demand draft in favour of the informant and the learned court below is directed to hand over the said demand draft to the informant or his representative and the rest amount of Rs. 36,00,000/- (Thirty Six Lacs) shall deposit in 18 equal installments i.e. Rs. 2,00,000/- (Two Lacs) per month by way of demand draft/RTGS to the informant and if the petitioner fails to pay any installment, the informant shall be at liberty to move before the Appropriate Forum for cancellation of bail bond of the petitioner.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(III) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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