

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53 of 2023

Arising Out of PS. Case No.-687 Year-2021 Thana- NATHNAGAR District- Bhagalpur

SHASHI KANT PATHAK S/O Baleshwar Nath Pathak R/O Kanke Road,
near Gandhi Nagar Gate, Shiv Mandir, P.S- Gonda, District- Ranchi
... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Aggrawal S/o Late Aatmaram Aggrawal, R/o Kaushki Nath Jha
Lane, Champanagar, PS Nathnagar, District Bhagalpur.
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Swati Mishra
For the Opposite Party/s : Mr.Rajendra Singh
Mr.Praveen Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 13-07-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 406, 420, 504, 386, 506 of the Indian Penal Code.

Petitioner is alleged to have taken huge amount from the informant on the pretext of delivery of school dresses, but he did not supply the same and thus, committed forgery with informant.

However, by filing supplementary affidavit, petitioner undertakes to refund **Rs. 4,69,622/-** to the informant in six monthly installments. The mode and manner of payment has been stated in paragraph – 7 of the supplementary affidavit.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from



today, let the above named petitioner 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 learned C.J.M., Bhagalpur in connection with Nathnagar P.S. Case No. 687 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, in the light of following terms and conditions:

1. At the time of furnishing bail-bond Rs. 100,000/- (Rupees one lac) shall be refunded to the informant through Bank Draft.

2. Rest amount i.e. Rs. 3,69,622/- (Rupees three lacs and fifty thousand) in five monthly installments (i.e. Rs. 75,000/- as first four installments and Rs. 69,662/- as last installment) within a period of one year from the date of furnishing bail-bond.

3. If petitioner fails to comply with the aforesaid direction of this Court, the Court below is free to cancel the bail-bond of the petitioner.

(Prabhat Kumar Singh, J)

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