

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6214 of 2024

Arising Out of PS. Case No.-399 Year-2023 Thana- SHERGHATI District- Gaya

Birendra Kumar Son of Suryadev Ram R/o vill - Gamhariya, P.S. - Dobhi,
P.O. - Bajaura, Distt. - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Ganesh Prasad Singh, A.P.P.
For the Informant	:	Mr. Samir Kumar, Advocate
		Mr. Abhimanyu Deo, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-05-2024 Heard learned counsel for the petitioner, informant
and the State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under Sections 406 and 420 of the Indian
Penal Code.

3. As per prosecution case, this petitioner took Rs. 15
lacs in advance from the informant for registry of the land but
despite taking the consideration money, he did not execute the
sale deed.

4. Learned counsel for the petitioner denies the
prosecution case and submits that petitioner has only received
Rs. 4,77,000/- (Rs. Four Lacs Seventy-Seven Thousand)
through RTGS from the informant and he is ready to pay the



same in easy installments.

5. Learned counsel for the informant vehemently opposed the bail application.

6. 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, Sherghati, Gaya in connection with Sherghati (Dobhi) P. S. Case No. 399 of 2023, 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 deposit Rs. 2,77,000/- (Rs. Two Lacs Seventy-Seven Thousand) in the *Nazarat* at the time of furnishing bail-bond and thereafter, rest amount i.e., Rs. 2,00,000/- (Rs. Two Lacs) shall be deposited in four installments, i.e. Rs. 50,000/- (Rs. Fifty Thousand) each, in the *Nazarat* within six months, failing which, the learned court below would be at liberty to cancel the bail-bond.

7. It is made clear that without going into the merit of



the case, this order has been passed only for the purpose of bail
and payment of aforesaid amount shall be subject to the final
outcome of the case.

(Prabhat Kumar Singh, J)

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