

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10976 of 2024

Arising Out of PS. Case No.-64 Year-2023 Thana- ADAPUR District- East Champaran

Dilip Sah S/o Raj Kumar Sah R/o vill - Bhawanipur, Mauje, P.S. Adapur
Nakardei, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Adapur (Nakardei) P.S. Case No. 64/2023 lodged on 10.11.2023
under Sections 420, 406, 120B, 323, 504 of the Indian Penal
Code and Section 66(d) of the I.T. Act.

3. As per the prosecution case, the FIR has been
lodged against two named accused persons, including the
present petitioner. As per the FIR, the petitioner used to run a
Cyber Cafe shop. The informant gave money to the for
transferring the same through digital mode to the different
businessmen towards payment of his purchased material. Upon
payment of money by the informant, actually the said money
was not transferred whereas the petitioner used to show fake



proof of transfer. It happened thrice by which total Rs.1,53,000/- has alleged to be taken by the petitioner.

4. Learned counsel for the petitioner without entering into the merit and demerit of this case submits that the petitioner is ready to return the entire alleged money, but in three installments. The petitioner undertakes to pay the first installment of Rs.53,000/- at the time of furnishing bail bonds and rest amount shall be paid in two equal installments of Rs.50,000/-. The petitioner is in custody since 10.11.2023 and is accused in one more criminal case, in which he is on bail.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the fact that the petitioner is ready to return the entire alleged money in installments and to prove his *bona fide*, he is ready to pay Rs.53,000/- through demand draft at the time of furnishing bail bonds whereas the rest amount shall be paid in two equal installments of Rs.50,000/- within four months from the date of release, let the petitioner above named be granted provisional bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Raxaul, East Champaran at Motihari, subject to the conditions as laid



down under Section 437(3) of the Code of Criminal Procedure.

7. In case the said installment of Rs.50,000/- shall be paid in every two months from the date of release, then in that case, after four months, the provisional bail of the petitioner shall be confirmed. In case of none payment within four months, the provisional bail granted to the petitioner shall be cancelled.

(Dr. Anshuman, J)

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