

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19483 of 2024

Arising Out of PS. Case No.-521 Year-2023 Thana- LAHERIMUHALLA District- Nalanda

Mithlesh Kumar S/O Suresh Prashad R/O-Shyamnagar Kutiya (Near Kebin
Of Miunsi Ji), P.S.-Jahanabad, District-Jahanabad Petitioner
Versus

1. The State Of Bihar
 2. Indian Overseas Bank Through Its Branch Manager Bihar Sharif
(RAMCHANDRAPUR) District - Nalanda
- Opposite Parties

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Singh, A.P.P.
Sheela Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 26-10-2024 Heard learned counsel for the petitioner, the State and
the informant.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under sections 467, 468, 471, 420 and
406 of the Indian Penal Code.

3. As per the prosecution case, petitioner took
Rs.2,24,940/- for filing of income tax return of the informant
and his brother but he did not file the return due to which
penalty of Rs.37,500/- was also imposed upon the petitioner.
Petitioner has returned a part of the aforesaid amount but he is
not returning remaining amount of Rs.73,940/- and the penalty
amount of Rs.37,500/- total amounting to Rs.1,11,440/-.

4. Learned counsel appearing for the petitioner,
denying the allegation, has filed supplementary affidavit and
submits that the petitioner is ready to return Rs.1,11,440/- to the
informant by way of instalments, subject to result of the case.

5. In view of the submission of learned counsel for the
petitioner, prayer for bail of the petitioner is allowed. In the
event of arrest/surrender within eight weeks from today, let the



petitioner, mentioned above, 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 Chief Judicial Magistrate, Nalanda at Biharsharif in Laheri Police Station Case No. 521 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

6. Petitioner shall return Rs.50,000/- to the informant by way of bank draft and a copy of the same shall be furnished by him with the bail bonds. Rest amount of Rs.61,440/- shall be returned by the petitioner to informant in six equal instalments within six months thereafter.

7. Needless to state that in breach of conditions, court below shall be at liberty to cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

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