

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16162 of 2024

Arising Out of PS. Case No.-452 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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1. Kamlesh Singh son of Jayram singh Resident of village- Asiyan Tola PO PS-
Natwar, Dist- Rohtas
 2. Jayram Singh @ Jairam Singh son of Late Ganesh Singh @ late Ramganes
Singh Resident of village- Asiyan Tola PO PS- Natwar, Dist- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dinanath Tiwary son of Late Ramanuj tiwary Village- Bhuawal Ps- Dinara
Bhanas OP Dist- Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Upadhyay, Advocate
For the Opposite Party/s : Mr.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 18-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Complaint Case No. 452 of 2023 registered under Section 420 of the Indian Penal Code and Section 138 of the N.I. Act lodged on 23.06.2023 by the Complainant, Dinanath Tiwari.

3. After some Arguments, both the learned counsel for the petitioners and the informant came to the conclusion that they are ready to pay the amount but request has been made by the learned counsel for the petitioners that the same be allowed



to be paid in installment.

4. Learned counsel for the petitioners propose that the same allowed to be paid in the following manner:

(i) 1,66,000/- at the time of the execution of the bail bond;

(ii) rest of the amount shall be paid @ Rs. 50,000/- per months beginning from July, 2024 till December, 2024 by the 10th of every month (thus making payment of rest over Rs. 3,00,000).

5. However non-payment of the same, the complainant is free to file petition for cancellation of the bail bond.

6. Taking into account the aforesaid facts as also the undertaken given by these petitioners, this Court is inclined to extend them privilege of bail.

7. Let the petitioners, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Bikramganj (Rohtas) in connection with Complaint Case NO. 452 of 2023 subject to



condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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