

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31668 of 2024

Arising Out of PS. Case No.-400 Year-2023 Thana- WARISNAGAR District- Samastipur

CHANDAN KUMAR S/O SURESH KUMAR SINGH @ SUDESH KUMAR SINGH R/O VILLAGE- ISAMAILPUR WARD NO. 2, P.S- BIDUPUR, DISTT.- VAISHALI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RANJEET KUAMR RAI S/O LATE PARIKSHAN RAI R/O VILLAGE- CHANDAUJI, WARD NO. 4, P.S- WARLISHGANJ, DISTT.- SAMASTIPUR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Umeshanand Pandit , APP
For OP 2 :	Mr. Rabindra Kumar Priyadarshi , Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 28-08-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Sections 420, 406, 504, 506 and 34 of the Indian Penal Code .

3. As per the prosecution case , this petitioner took cash and articles total worth Rs. 10,69,000/- but neither he has started business with informant nor returned his money and thus cheated informant.

4. Learned counsel for the petitioner submits that for doing the said business, an agreement was executed between petitioner and informant, and on the basis of the said agreement,



the informant gave Rs. 3 lakhs to the petitioner through RTGS, and in lieu of the same, the petitioner gave a check bearing No. 279890 of Rs. 3 lakhs to the informant as security. It was agreed upon that the business would start on April 28, 2023, but the informant never started business with the petitioner as stated in the agreement. However, petitioner without admitting his guilt, is ready to pay the alleged amount of **Rs. 3,00,000/- (three lacs)**.

5. 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 learned Chief Judicial Magistrate Samastipur in connection with Warisnagar P. S. Case No. 400 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. 3,00,000/- (three lakhs) through Bank Draft/cash in the Nazarat of Civil Court, Samastipur at the time of furnishing bail-bond.

(ii) The aforesaid payment shall be subject



to the final outcome of the case .
(iii) If petitioner does not abide by the
aforesaid directions, the learned Court below is at
liberty to cancel the bail-bond of the petitioner.

(Prabhat Kumar Singh, J)

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