

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24692 of 2024**

Arising Out of PS. Case No.-637 Year-2023 Thana- BANKA District- Banka

Prabhash Kumar Son Of Ajit Kumar Yadav Resident Of Village - Jagatpur
Ward No.6, P.S. And District - Banka

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Gyatri Devi Wife Of Vinay Mandal Resident Of Village - Punsiya, P.S. -
Rajaoun, District - Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Dhananjay Pandey, Advocate
For the Opposite Party/s :	Mr. Abhay Kumar, A.P.P. Mr. Praveen Kumar Agrawal, Advocate Mr. Santosh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-05-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

3. As per prosecution case, this petitioner fraudulently took Rs. 12 lacs from the informant and her husband as consideration money, in cash and cheque, in order to sell the land to the informant, over which the petitioner had no right and title.

4. After some argument, learned counsel for the petitioner submits that he is ready to return the amount of Rs. 12 lacs, in installments, which the informant claims to have given to the petitioner for purchasing the land in question.



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 Chief Judicial Magistrate, Banka in connection with Banka P. S. Case No. 637 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 refund Rs. 2,00,000/- (Rs. Two Lacs) through Demand Draft to the informant at the time of furnishing bail-bond and thereafter, rest amount i.e., 10,00,000/- (Rs. Ten Lacs) shall be deposited in six installments within one year through Demad Draft to the informant, failing which, the learned court below would be at liberty to cancel the bail-bond.

6. It is made clear that without going into the merit of the case, this order has been passed only for the purpose of bail.

(Prabhat Kumar Singh, J)

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