

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25811 of 2024

Arising Out of PS. Case No.-540 Year-2018 Thana- AMARPUR District- Banka

Amar Kumar S/o Tej Narayan Das R/o vill - Domia, Bhwanipur, ward no. 5,
P.S. - Pratapganj, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-04-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 420, 406, 467, 468, 471,
120(B) of the Indian Penal Code.

3. As per the prosecution case, the petitioner
knowingly cheated the informant a sum of Rs. 12,03,500/-
which was paid to the petitioner between 01.08.2016 to
05.05.2017 in different installments for the purpose of giving
government employment to three family members of the
informant. That when the same was not provided by the
petitioner he issued a cheque of Rs. 9,50,000/- but the same
was dishonoured by the bank and the same was stopped by the
petitioner.



4. Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. Learned counsel for the petitioner further submits that earlier by the petitioner has been granted provisional bail by this Court vide order dated 09.11.2020 passed Cr. Misc. No. 23699 of 2020, with a condition that the petitioner shall deposit Rs. 5 lakh in the Court below in two installments within five months, but not a single penny was deposited by the petitioner. Thereafter, the provisional bail of the petitioner was dismissed by this Court vide order dated 23.06.2021 passed in Cr. Misc No. 23699 of 2020. The petitioner has no criminal antecedent and the petitioner was in custody since 04.03.2020 to 11.11.2020 i.e. more than eight months and presently he is in judicial custody since 16.12.2023. Learned counsel for the petitioner further submits that now the petitioner is ready to deposit the said amount preferably within a period of nine months.

5. Learned APP for the State opposed the bail petition.

6. Considering the facts aforesaid, the above named petitioner is directed to be enlarged on **provisional bail for ten months** on furnishing bail bond of Rs. 25,000/- (Rupees Twenty



Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Amarpur P.S. Case No. 540 of 2018.

7. The Court below is directed to confirm the provisional bail of the petitioner after satisfying that the petitioner has paid the said amount i.e. Rs. 5 lakh to the informant within a period of nine months.

8. The petitioner is directed to co-operate in the trial.

(Anjani Kumar Sharan, J)

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