

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 69159 of 2024

Arising Out of PS. Case No.-949 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

Sanjay Pasi @ Sanjay Kumar Son of Ramdeo Pasi R/O Vill.- Masina, P.S.-
Khanpur, Dist.- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Laxmi Prasad Wife of Rajendra Prasad R/O Village- Kewata P.S.-
Dalsinghsarai District- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Complaint Case No.949 of 2022 instituted for the offence under Sections 406 and 420 of the Indian Penal Code.

3. The case of the prosecution is that there was an agreement for sale. Consideration amount was Rs.9,00,000/-. Rs.5,00,000/- was given as advance through cheque. It is further alleged that in the passage of time the petitioner started to usurp the amount.



4. During hearing of the anticipatory bail petition, learned counsel for the petitioner has submitted that the claimant having the claim of Rs.5,00,000/- and he is ready to pay that amount in five installments in six months.

5. Learned counsel for the complainant was present at the time of hearing. He also conceded to this consideration.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on provisional bail with a condition that the bail will be confirmed only after depositing the entire amount. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Complaint Case No.949 of 2022, he will be enlarged on **provisional bail** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Samastipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

7. Further, it is made clear that on depositing the entire amount, the provisional bail granted to the petitioner by this Court shall be confirmed by the learned trial court itself.



8. Accordingly, the present bail application stands disposed of.

(Ashok Kumar Pandey, J)

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