

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78200 of 2024

Arising Out of PS. Case No.-1463 Year-2019 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Om Hari Singh @ Oam Hari Singh S/o Kavilash Singh Resident of Village-
Sevai Tola, PS- Nawanagar, Distt.- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Kumar S/o Late Vijendra Prasad R/o vill - Tar, P.S. - Agion Bazar,
Distt.- Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyapal Singh, Advocate
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 03-12-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Complaint case no. 1463(C) of 2019, disclosing
offences punishable under Section 417 and other allied sections
of the Indian Penal Code.
3. The prosecution story, as per the complaint filed by
complainant, is that father of the complainant gave
Rs. 1,50,000/- to the petitioner for purchasing cement and iron
rods but neither the materials were supplied nor the money has
been returned.
4. Learned Counsel for the petitioner submits that



without prejudice to the right and contention of the petitioner, the petitioner is ready to return a sum of Rs. 1,50,000/- to the complainant in 10 equal instalments. Learned counsel further submits that the complaint was lodged after delay of 08 years and cognizance has been taken on 11.08.2021.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is voluntarily ready to return a sum of Rs. 1,50,000/- in favour of opposite party no. 2 in instalments, I am inclined to grant the privilege of anticipatory bail to the petitioner, subject to the condition that Rs. 1,50,000/- shall be paid by the petitioner, by way of bank draft and/or digital mode in favour of complainant in 10 equal instalments. The first instalment of Rs. 15,000/- shall be paid by the petitioner to the complainant-opposite party no. 2, by way bank draft and/or digitally at the time of furnishing bail bond. The rest amount shall be paid in nine equal instalments, within a total period of one year.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released 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, Bhojpur at Ara
in connection with Complaint case no. 1463(C) of 2019, subject
to the condition laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Anil Kumar Sinha, J)

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