

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80163 of 2023**

Arising Out of PS. Case No.-3082 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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Bipin Kumar Son of Gopali Bhagat R/O Village- Khaira, Post- Lakhna, P.S.-
Gaurichak, Dist.-Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ashok Kumar Singh Son Of Late Ram Lakhan Singh R/O Village-
Ghordaur, P.O.- Lakhna, P.S.- Punpun, Dist.- Patna, At Present Mohalla-
Indrapuri, Sipara, P.S.- Beur, Dist.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Nilendu Kumar Choudhary, Adv.
For the State	:	Mr. Uma Shankar Prasad Singh, APP
For the O.P. 2	:	Mr. Ashok Kumar Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 10-04-2024 Heard both sides.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 3082(C) of 2021 registered under
Sections 420/34 of the Indian Penal Code and Section 138 of the
N.I. Act

3. It is alleged that petitioner and his wife took Rs.
25,000,00/- (Twenty Five Lakh) from the complainant for the
purpose of executing sale deed in favour of informant but failed
to execute the same.

4. Learned counsel for the petitioner submits that
petitioner has already returned Rs. 4,81,000/- to the informant,
as contained in Annexure-P/5 to the supplementary affidavit.



Petitioner is ready to pay rest of the amount to the informant in equal installments.

5. Considering the aforesaid contention made on behalf of the petitioner, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of Judicial Magistrate-I, Patna in connection with Complaint Case No. 3082(C) of 2021, subject to the condition as laid down under Section 438(2) of the Cr. P.C. with direction to the petitioner that :-

“(A) At the time of furnishing bail-bond, the petitioner shall deposit Rs. 2,50,000/- (two lacs fifty thousand) through Bank Draft/Cash in the Nazarat of Civil Court, Patna.

(B) Rest amount i.e. Rs. 17,69,000/- (Seventeen Lacs Sixty Nine Thousand) shall be deposited in the Nazarat of Civil Court, Patna in 12 (twelve) equal installments of Rs. 1,47,416/- (One Lac Forty Seven Thousand Four Hundred Sixteen) within a period of two years from the date of furnishing bail-bond.

(C) The aforesaid payment shall be subject to final outcome of the case.



(D) If petitioner fails to comply the direction of this Court, the learned Court below would be at liberty to cancel the bail-bond of the petitioner.”

(Prabhat Kumar Singh, J)

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