

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80890 of 2023**

Arising Out of PS. Case No.-317 Year-2023 Thana- GAYA MUFASIL District- Gaya

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BIRENDRA MALAKAR @ BIRENDRA MALA SON OF LAKHAN
MALAKAR RESIDENT OF VILLAGE- BHADEJA, PS- MUFFASIL,
DISTT- GAYA

... .. Petitioner/s

Versus

1. The State of Bihar
2. MR. VINAY KRITI SINGH, COUNSEL FOR SOUTH BIHAR POWER
DISTRIBUTION COMPANY LAT. BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Arun Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 05-03-2024 Heard learned counsel for the petitioner, State and
informant/opposite party no.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 341, 323,
353, 427, 504, 506 of the Indian Penal Code.

3. Learned counsel denies the prosecution case.
However, he submits that at present the petitioner is ready to
deposit the disputed amount in instalment.

4. Considering the aforesaid submission, the petitioner
is directed to deposit 30 per cent of the alleged amount, i.e.,
Rs. 1,62,072/-/- (Rupees one Lac sixty two thousand seventy
two) at the time of furnishing bail-bond and rest of the amount
in four equal installment within one year, subject to result of the



case pending in the Court below, failing which the Court below shall be at liberty to cancel the bail of the petitioner.

5. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned Special Judge, (Electricity), Magadh Area, Gaya, in connection with Muffasil P.S. Case No. 317 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, in the light of following terms and conditions:

A. At the time of furnishing bail-bond Rs. Rs. 1,62,072/-/- (Rupees one Lac sixty two thousand seventy two) shall be deposited through cash in the Nazarat of the Civil Court, Gaya

B. Rest amount shall be deposited in the Nazarat of Civil Court, Gaya in four installments within a period of one year from the date of furnishing bail-bond.

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

D. If petitioner fails to comply the aforesaid direction of this Court, the Court below is free to cancel the bail-bond of



the petitioner.

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

(Prabhat Kumar Singh, J)

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