

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86536 of 2023

Arising Out of PS. Case No.-924 Year-2023 Thana- JAHANABAD District- Jehanabad

Mithlesh Kumar S/o- Suresh Prashad R/o- Shyamnagar Kutiya (near kebin of miunsi Ji), P.S.- jahanabad, District Jahanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 06-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 406, 420, 467, 468, 471 of the Indian Penal Code.

3. As per allegation made in the F.I.R., the petitioner received total amount of Rs. 4,19,746/-, out of which, amount of Rs. 1,17,923/- is in cash and Rs. 3,01,823/- in his bank account for filing income tax return of informant and two other persons, but petitioner misappropriated the same and did not file income tax return.

4. Learned counsel for the petitioner denies the allegation and submits that petitioner has been falsely implicated in this case. However, without admitting the allegation made in the F.I.R., learned counsel for the petitioner,



by referring to paragraph – 4 of the supplementary affidavit, submits that the petitioner is ready to deposit **Rs. 3,01,823/-** (**Rupees three lacs one thousand eight hundred twenty three**) in easy installments in the Nazarat of the Civil Court and that will be subject to final result of the case.

5. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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 Chief Judicial Magistrate, Jehanabad in connection with Jehanabad Town P.S. Case No. 924 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further following conditions:

“(A) ***At the time of furnishing bail-bond***, the petitioner shall deposit **Rs. 1,51,823/-** (One lac fifty one thousand eight hundred twenty three) in the *Nazarat* of Civil Court, Jehanabad.

(B) Rest amount i.e. **Rs. 1,50,000/-** (one lac fifty thousand) shall be deposited in the *Nazarat* of Civil Court, Jehanabad ***in four installments*** within a period of ***twelve months*** 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.”

6. This order has been passed, without going into the merit of the case, only for the purpose of considering the prayer for anticipatory bail of petitioner.

(Prabhat Kumar Singh, J)

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