

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68160 of 2024

Arising Out of PS. Case No.-223 Year-2024 Thana- PANCHRUKHI District- Siwan

Anand Prakash Pathak Son of Late Lal Babu Pathak Resident of Village -
Chap, P.S. - Saray, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Anupam, Adv.
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP
Mr. Madhukar Anand, Adv.for Informant

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

10 29-07-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

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

3. As per F.I.R., the allegation against petitioner is that he took Rs. 23,00,000/- (Twenty three lakhs) from the informant for executing sale-deed of 2 katha 6 dhur, but the petitioner duped the informant as he executed sale-deed of only one katha to the informant. It is further alleged that when informant asked petitioner to return his rest money, the petitioner assured to return the said amount, but failed to return.

4. By way of filing supplementary affidavit, learned



counsel for the petitioner submits that he is ready to pay remaining amount of Rs. 12,30,000/-, out of total Rs. 23,00,000/-, to the informant in easy installments, for which, learned counsel for the informant does not oppose.

5. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of eight 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 Judicial Magistrate 1st Class, Siwan in connection with Pachrukhi P.S. Case No. 223 of 2024, 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 refund **Rs. 1,30,000/-** (one lakh & thirty thousand) through Bank Draft to the informant and receipt of the same shall be furnished alongwith bail-bond.

(B) Rest amount i.e. **Rs. 11,00,000/-** (eleven lakhs) shall be refunded to the informant through Bank Draft in eleven equal installments of within a period of twelve months from the date of furnishing bail-bond.

(C) 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. It is made clear that aforesaid order has been passed only for considering the prayer for anticipatory bail without going into the merit of the case.

(Prabhat Kumar Singh, J)

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