

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78488 of 2023

Arising Out of PS. Case No.-209 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

JAMIR AHAMAD S/O LATE JUMAN DHOBİ RESIDENT OF VILLAGE
CHHOTKA NUOWAN, P.S.- BUXAR (MUFFASIL), DISTRICT- BUXAR.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Binod kumar S/o- Late Girdhari Prajapati, R/o- vill- Malahchakiya, PS-
Buxar(M), Dist- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Arun Kumar Gupta, Advocate
For the State	:	Mr. Umanath Mishra, APP
For the O.P. No.2	:	Mr. Awadhesh Kumar Mishra, Advocate
		Mrs. Pragati Singh, Advocate
		Mr. Shashank Shekhar, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 04-08-2025 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned APP for the
State.

2. The petitioner apprehends his arrest for the offences
punishable under Sections 406 and 420 of the Indian Penal
Code.

3. The allegation in the first information report is that
the petitioner had taken an amount of Rs.98,000/- from the
informant for depositing it in Sahara India, which was not done.

4. Learned counsel for the petitioner submits that the
petitioner was working as an agent for Sahara India and deposit
has been made regularly in the account and ledger statement has



been brought on record by way of Annexure-2, which shows that Rs.67,418/- had been withdrawn by the informant through cheque no.575669 from the said account. It is further submitted that due to some miscalculation, the present case has been lodged against the petitioner. It is also submitted that charge-sheet in this case has been submitted.

5. Learned counsel appearing for the opposite party no.2, however, emphasized on an undertaking given by this petitioner that he would be returning the entire amount to the opposite party no.2. At this stage, learned counsel for the petitioner makes an offer that he would be making a payment of Rs.30,000/- to the informant in installments within a period of three months. He further submits that he would pay a sum of Rs.10,000/- at the time of furnishing the bail bonds, as the first installment.

6. Taking into consideration the facts and circumstances of the case, let the above named petitioner, be released on provisional bail, in the event of his 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 each to the satisfaction of the learned Court below where the



case is pending/ successor Court in connection with Buxar (Muffasil) P.S. Case No.209 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482 (2) of the B.N.S.S.

7. The learned Court below is directed to accept the bail bonds of the petitioner after showing payment of Rs.10,000/-to opposite party no.2. The provisional bail of the petitioner shall be confirmed after payment of rest amount of Rs.20,000/- within a period of three months. It is made clear that the aforesaid payment is subject to the final outcome of the present case, which would be refunded in case the allegation is not proved against the petitioner.

8. If the petitioner fails to pay the aforesaid amount within the period of three months, as aforesaid, the provisional bail granted to the petitioner shall stand vacated.

(Soni Shrivastava, J)

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