

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80106 of 2024

Arising Out of PS. Case No.-2087 Year-2022 Thana- COMPLAINT CASE District- Banka

Uma Shankar Singh Son of Late Ramvilash Singh Resident of Village -Khiddi, PS- Rajoun, District- Banka. At present R/O- of Mohalla Sundar Nagar, Kiash Nagar, P.S.- Khantraik, Distt. Raipur Chhatishgadh

... .. Petitioner

Versus

1. The State of Bihar
2. Amit Kumar Singh @ Amit Kumar Son of Late Vijaynand Singh Resident of Village- Khiddi, P.S.- Rajaun, Distt.- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Sharma, Advocate
For the Opposite Party/s : Mr.Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-02-2025 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 420, 406, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, petitioner along with other accused persons executed an agreement on the pretext of selling a land and received Rs.5.80 lacs from the complainant. However, petitioner neither sold the land to the informant nor did he return the money to the informant.

4. It is submitted on behalf of the petitioner that no cheat of proof has been produced in support of alleged payment. As a matter of fact, father of the complainant had taken Rs. 3 lacs from the accused persons and in order to digest the said amount, he has filed the present false and concocted case against the petitioner. However, without admitting the guilt and without prejudice to his right and contention, petitioner is ready to deposit Rs. 1.65 lacs in instalments within six months



in the Nazarat of the concerned Civil Court.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioner, mentioned above, 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 Chief Judicial Magistrate, Banka in Complaint Case No. 2087 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on following conditions:-

(i) At the time of furnishing bail bond, Rs. 1 lac shall be deposited by the petitioner in the Nazarat of the Court below.

(ii) Rest amount of Rs. 65,000/- shall be deposited by the petitioner in two equal installments within six months thereafter.

(iii) If the petitioner fails to comply with the aforesaid direction of this court, the court below shall be at liberty to cancel the bail bonds of the petitioner.

6. It is made clear that without going into the merit of the case, aforesaid order has been passed only for the purpose of grant of bail and this deposit would be subject to the final result of the criminal case.

(Prabhat Kumar Singh, J)

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