

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14511 of 2024

Arising Out of PS. Case No.-59 Year-2023 Thana- KADAMKUAN District- Patna

Prabhat Kumar Son of Late Braj Kishore Prasad R/o Jahaji Kothi, Kadam
Kuan, P.s. - Kadam Kuan, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Singh, Adv.
For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP
Mr. Vijay Kumar Sinha, Adv.for Informant

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 14-07-2025 Heard learned counsel for the petitioner, State and
informant.

2. The petitioner apprehends his arrest in a case punishable for the offence under Sections 420, 406, 34 of the Indian Penal Code and Section 138 of the N.I.Act.

3. As per prosecution case, the petitioner, who is elder brother of informant, took Rs. 5 Lacs for business purpose with assurance to return the same within six months, but after expiry of aforesaid time, petitioner did not return the money and when informant demanded her money, petitioner gave three cheques, but the same got bounced.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case due to family



feud, as there is dispute between the informant and petitioner. However, by way of filing supplementary affidavit, learned counsel for the petitioner submits that petitioner is ready to deposit **Rs. 4,00,000/- (Rupees five lacs)** in easy installments in the *Nazarat* of concerned Civil Court, 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 J.M. 1st Class, Patna in connection with Kadam Kuan P.S. Case No. 59 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. 1,00,000/-** (one lac) in the *Nazarat* of concerned Civil Court and receipt of the same shall be furnished alongwith bail-bond.

(B) Rest amount i.e. **Rs. 3,00,000/-** (Three Lacs) shall be deposited in the *Nazarat* of concerned Civil Court in six equal installments of **Rs. 50,000/-** (fifty thousand) each within a period of one year 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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