

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.33474 of 2014**

Arising Out of PS.Case No. -149 Year- 2013 Thana -EKANGARSARAI District- NALANDA  
(BIHARSHARIFF)

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Prem Kishore Sharma @ Chote Ji, Son of Chinta Haran Shamra, Resident  
of Patona, P.S.-Paliganj, District-Patna.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE V.N. SINHA**  
**ORAL ORDER**

2 04-02-2015

Heard learned counsel for the petitioner and the State.

2. Petitioner is apprehending his arrest in connection  
with a case registered for the offences under Sections 406, 420,  
384 of the Penal Code as he is said to have misappropriated a sum  
of Rs. 7,90,000/- given to him by the informant from time to time.

3. It is submitted on behalf of the petitioner that the  
aforesaid amount has never been given to him by the informant. In  
this connection, it is pointed out that there is no documentary  
evidence to support such lending of the amount by the informant  
to the petitioner.

4. Be that as it may, let petitioner, named above,  
appear in the court below within a period of four weeks from the  
date of receipt/ production of a copy of this order in the Court  
below and apply for regular bail on the aforesaid ground

whereafter the court below shall issue notice to the informant and after hearing the informant pass appropriate order in the matter. In case, no evidence is produced by the informant to support the contention that he advanced the aforesaid amount to the petitioner, court below may admit the petitioner to the privilege of bail on furnishing bail bond of Rs. 5,000/-(Rs. Five Thousand Only) with two sureties of the like amount in connection with Ekangar Sarai P.S. Case No.149/13, subject to the conditions laid down under Section 438(2) Cr.P.C. Until final order is passed in the matter, no coercive steps be taken against the petitioner, provided he appears in the court below within four weeks from the date of receipt/production of a copy of this order.

5. This petition is, accordingly, disposed of.

**(V.N. Sinha, J)**

Rajesh/-

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