

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40874 of 2015

Arising Out of PS.Case No. -444 Year- 2014 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Pawan Kumar Agrawal son of Mahabir Agrawal resident of 3rd floor,
Ganpati Tower, Jamuna Flour Mill, P.S. Katihar (T), District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Suresh Verma son of Late Mithilesh Verma resident of mohalla
Barmashiya Michaibari, P.S. Katihar Sahayak, District - Katihar.

.... Opposite Party/s

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Appearance:

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

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 01-12-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 406 and 420 of the Indian Penal Code.

The complainant alleged that the petitioner and the
complainant were good friends and the complainant gave rupees
three lakhs to the petitioner through cheque in the year 2007. The
cheque was encashed on 03.02.2007 and agreement to return the
money was also prepared on a non-judicial stamp paper but the
petitioner did not return even a single farthing. A notice was given
to the petitioner in the year 23013 and the complaint was filed in
the year 2014. It is submitted that the petitioner returned the entire
amount either through cheque or cash. The cheque given by the
petitioner was duly encashed by the complainant. No money is

lying due against the petitioner.

On the other hand, learned counsel for the complainant submits that the complainant did not receive even a single farthing.

Be that as it may, it appears that the dispute is with regard to lending and borrowing of money and for its repayment.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to 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 Sri M.K. Jha, Judicial Magistrate, 1st Class, Katihar in Complaint Case No. 444/2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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