IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27765 of 2016

Arising Out of PS.Case No. -131 Year- 2016 Thana -SIKARPUR District-WESTCHAMPARAN(BETTIAH)

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Binod Kumar Jaiswal, Son of Girija Shankar Prasad, resident of Purani Bazar, P.S. Shikarpur, District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

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2 13-07-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Shikarpur P.S. Case No.131 of 2016 registered under Sections 406 and 420 of the Indian Penal Code.

The accusation is that the petitioner used to run the non-banking company and on the request of the petitioner, the informant used to deposit Rs.500/- per day and when the deposited amount became Rs.5,00,000/- the informant asked the petitioner to make payment of the same but the petitioner started avoiding to pay the same. Thereafter, a Panchayati was arranged in which the father of the petitioner made a hand-note to return the said amount but despite that, the amount was not returned to the informant and on making

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demand of the same, the petitioner and his father started quarrel with him.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner had taken money from the informant for business purpose and returned the same to the informant but the informant started demand of money in interest and only to give undue pressure, he lodged the present case. It is further submitted that while it is stated in the F.I.R. that the informant used to deposit Rs.500/- per day which became Rs.5,00,000/- and the same was to be returned to the informant by this petitioner but the hand note, said to be executed by the father of the petitioner, disclosed the different to the effect that the petitioner had taken the loan Rs.5,00,000/- from the informant. Further submission is that the petitioner is in custody since 31.03.2016 and the chargesheet has already been submitted.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Bettiah, West Champaran, in connection with Shikarpur P.S. Case No.131 of 2016.

(Rajendra Kumar Mishra, J)

P.S./-

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