

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16631 of 2016

Arising Out of PS.Case No. -688 Year- 1999 Thana -PATNA COMPLAINT CASE District-
PATNA

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Shankar Prasad

.... Petitioner/s

Versus

1. State of Bihar,
2. Tarkeshwar Prasad alias Chandra Bhushan Prasad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra

For the Opposite Party/s : Mr. Indra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-04-2016

Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a complaint case filed with accusation under sections 420,422 and 406 of the Indian Penal Code wherein process has been directed to be issued after cognizance being taken.

The prosecution case is that in 1993 the petitioner took rupees twenty five thousand from the complainant on assurance that he will return the same but did not return the amount.

It is submitted by the learned counsel for the petitioner that there is no proof with regard to the payment of money. It is further submitted that though the complaint was filed

in 1999 but the petitioner was not aware of the same since the petitioner is resident of Katihar and the complaint was filed at Danapur.

Since the complaint was filed in 1999, this court is not inclined to interfere in the matter but considering the nature of dispute, it is a case for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Complaint Case No. 688 C of 1999 (Tr. No. 702 of 2000) pending in the court of learned JM Ist Class, Danapur, Patna. Since the petitioner is a retired person, the bail application of the petitioner may be disposed of preferably on the same day.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

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