

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38160 of 2016

Arising Out of PS.Case No. -1438 Year- 2014 Thana -COMPLAINT CASE District- JAMUI

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Pawan Sharma @ Pawan Kumar Sharma Son of late Laxman Prasad Sharma, Resident of Village- Chhatakrum, Police Station- Ketoria, District Banka.

.... Petitioner/s

Versus

1. The State of Bihar
2. Shankar Sharma Son of Roho Sharma, Resident of Village- Asarhua, Post- Sono, Police station- Charka Pathar (Sono) District Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 02-12-2016 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the complainant.

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

Allegation is that the petitioner has misappropriated an amount of Rs.40,000/- from the complainant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. It is further submitted that the petitioner is ready to deposit an amount of Rs.40,000/- in the court below, which shall be released in



favour of the complainant.

On behalf of the State and the learned counsel for the complainant, it is submitted that the petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs.40,000/- in the court below, which shall be released in favour of the complainant and on doing so, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Jamui in connection with Complaint case No.1438C of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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