

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4467 of 2016

Arising Out of PS.Case No. -1052 Year- 2014 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Jagannath Singh @Jagnath Singh
2. Kishori Devi, Wife of Jagannath Singh,
3. Sanjay Kumar Singh, Son of Jagannath Singh, All resident of village /
MOhalla - Banuchhapar, Mahendra Colony, P.S. - Bettiah Muffasil, District
- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Aasit Kumar Bhaunmik Son of Late Amulya Kumar Bhaumik, Resident
of Village - Banuchhapar, Mahendra Colony, P.O. - Bettiah, P.S. - Bettiah
Muffasil, District - West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur, Adv.
For the Opposite Party/s : Mr. Dilip Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2016 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 406, 420 and 120B of the Indian Penal Code.

The prosecution case is that petitioner no.3 Sanjay Kumar Singh took ₹4,50,000/- as loan from the complainant between 20.07.2002 and 16.05.2014 for pursuing higher study. Petitioner nos. 1 and 2 being the parents of petitioner no.3 assured the return of amount in case of default by petitioner no.3.

Petitioner no.3 after completing engineering course, did not pay back the said amount.

It is submitted by learned counsel for the petitioners that the said accusation has been levelled in the background of Title Suit No. 299 of 2009 pending between the petitioners and the complainant and earlier three cases being Bettiah Muffasil P.S. Case Nos. 719 of 2013, 324 of 2011 and 719 of 2013 were also lodged by the complainant against the petitioners which were quashed by this Court.

Considering the delayed lodging of the case and nature of accusation, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Bettiah, West Champaran in connection with Complaint Case No. 1052C of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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