

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19275 of 2016

Arising Out of PS.Case No. -170 Year- 2015 Thana -GAYA COMPLAINT CASE District- GAYA

=====

1. Dil Kishore Rajak, son of Shiv Nandan Rajak, resident of village Mocharim, P.S. Bodh Gaya, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Suryadeo Das, son of Late Ram Balak Das, resident of Village- Katorba, P.S. Bodhgaya, District Gaya.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mahasweta Chatterjee

For the Opposite Party/s : Mr. Atul Chandra(App)

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-05-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory arises out of Complaint Case No. 170 of 2015, disclosing offences under Sections 406,323 and 379 of the Indian Penal Code.

It is alleged that the petitioner had taken some friendly loan from the complainant which he refused to return as promised.

Learned counsel for the petitioner has submitted that lodging of the complaint case with such allegation is an abuse of the process of the Court.

Learned counsel appearing on behalf of the complainant has submitted that there is ample evidence to show that the petitioner had taken money from the complainant.

Learned counsel for the petitioner has informed that though

the anticipatory bail application arises out of complaint case, the petitioner apprehends his arrest since warrant of arrest has been issued by the Court below.

Considering the above, this application is allowed. Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Gaya in Complaint Case no. 170 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal procedure.

This is subject to the condition that the petitioner present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

U			
---	--	--	--