

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18005 of 2017

Arising Out of PS.Case No. -272 Year- 2016 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Naresh Sikariya S/o Late Rama Prasad Sikariya @ Rama Shankar Prasad
Sikariya, Resident of Mohalla-Bank Road, Raxaul, P.O. +P.S.-Raxaul,
District-East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shri Prakash Srivastava

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 17-05-2017

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 406 and 420 of the Indian
Penal Code.

Allegation is that the petitioner had taken money
from the informant as loan for construction of his house. However,
did not return the same.

Submission is that each and every non-refund of
money does not create mischief of cheating. Different reason may
be for non-refund of the same, civil remedy is always there.

Considering the aforesaid facts, let the petitioner,
above named, 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 learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari/successor Court in connection with Raxaul Police Station Case No. 279 of 2016 corresponding to G.R. Case No. 940 of 2016, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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