

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16640 of 2017

Arising Out of PS.Case No. -54 Year- 2016 Thana -PATNA COMPLAINT CASE District- PATNA

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Kamaldhari Bind, S/o Late Bhaju Bind, Resident of Village- Gohri, P.S.-
Chanan, District- Lakhisarai.

.... Petitioner

Versus

1. The State of Bihar
2. Jangbahadur Choudhary, S/o Late Main Choudhary, Resident of Village-
Sarari, P.O.- Khagaul, P.S.- Shahpur, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rajnish Chandra, Advocate

For the Opposite Party/s : Mr. Anant Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 26-04-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 54C of 2016 lodged for the offences
punishable under Sections 420 and 406 of the Indian Penal Code.

Allegation as per complaint petition against the
petitioner is that he has taken Rs.7 lacs from the complainant but
he is not returning the same back to him.

It has been submitted on behalf of the petitioner that
there is nothing available on record to show any chit of paper in
support of the allegation of the complainant and further without
issuing any summons non-bailable warrant has been issued against
the petitioner.



Heard learned APP also.

Having heard both sides and from perusal of the record it appears that the complaint case is of the year 2016 and contention of the petitioner is that without service of summons non-bailable warrant has been issued against him. Considering this aspect of the matter, let petitioner surrender and pray for regular bail, which will be considered by the court below keeping in view the fact that without service of summons non-bailable warrant has been issued against the petitioner and he will pass appropriate order, without being prejudiced by this order.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

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