

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29018 of 2017

Arising Out of PS.Case No. -137 Year- 2016 Thana -KOTWALI District- PATNA

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AMIT JAISWAL @ AMIT KUMAR aged about 46 Years, Son of Sri Raja Ram Choudhary, Resident of Sanchi Palace, Flat No. 303, 304, 3rd Floor, Shahdeo Mahto Marg, Boring Road, Police Station Sri Krishna Puri, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Bijpuria, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 21-07-2017 Heard both sides.

The petitioner apprehends his arrest in Kotwali P.S. Case No. 137/2016, registered for the offences punishable under Sections 406, 420 of the Indian Penal Code.

The informant alleged that her husband gave Rs. 12,20,000/- to the petitioner on different dates in his account, but the petitioner returned Rs. 1,00,000/- only and rest amount he did not return.

Learned counsel for the petitioner submits that the husband of the informant and the petitioner are friends. The petitioner earlier lodged complaint case no. 230C/04 under sections 403, 418 of the Indian Penal Code and section 138 of the Negotiable Instruments Act. The case was compromised. The



husband of the informant earlier borrowed money from the petitioner and he returned the borrowed money in the account of the petitioner. The petitioner never took any loan.

On the other hand, learned counsel appearing on behalf of the informant vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the informant gave money to the petitioner and the entire transaction was done through banks, but now the petitioner does not want to return the money.

It appears that the husband of the informant and the petitioner are on lending and borrowing terms. The dispute arose due to payment of loan.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 137/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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