

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20053 of 2017

Arising Out of PS.Case No. -239 Year- 2016 Thana -SITAMARHI District- SITAMARHI

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1. Surendra Sah son of Asharfi Sah R/o Village - Murliyachak, Ward No. 4,
P.S. - Sitamarhi, District – Sitamarhi Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Jha, Adv.

For the State : Mr. Brajendra Nath Pandey, APP 91

For the investigation : Mr. Ajay Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 03-07-2017 Heard the learned counsel for the petitioner, the informant and the State.

This is a petition for grant of anticipatory bail for offence under Sections 406, 420, 467, 468, 471, 474 and 384 of the Indian Penal Code.

Allegation against the petitioner is that he had received loan of rupees five lakh through cheque from the informant for his business purpose. However, money was not refunded.

The learned counsel for the petitioner submits that the petitioner had lodged Sitamarhi P.S. Case No. 219 of 2016 against the informant of this case alleging therein that the informant was an employee of the petitioner and he had defalcated rupees thirty lakh during the course of being In-Charge of the business of the informant and in that case informant has already been allowed anticipatory bail this Court in Cr. Misc. No. 26215 of 2016. The matter is of civil dispute.

The learned counsel for the informant opposed the prayer for bail on the basis of material available on record.



Considering the aforesaid fact, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each in connection with **Sitamarhi P.S. Case No. 239 of 2016** to the satisfaction of the **Chief Judicial Magistrate, Sitamarhi**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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