

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49850 of 2017

Arising Out of PS.Case No. -605 Year- 2016 Thana -GAYA COMPLAINT CASE District- GAYA
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Umesh Prajapat, son of Shyamlal Prajapat, Resident of Village - Nauranga,
P.S. Muffasil, District - Gaya.

.... Petitioner

Versus

1. The State of Bihar.
2. Vijay Sao, Son of Jagdeo Sao, Resident of Village - Nauranga, P.S.
Muffasil, District - Gaya.

.... Opposite Parties
=====

Appearance :

For the Petitioner : Mr. Syed Asgher Najmi, Advocate

For the Opposite Parties : Mr. Manish Kumar 2, A.P.P.
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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 504 and 341 of the Indian Penal Code.

Allegation is that the complainant had advanced the loan to the petitioner for the marriage of the daughter of the petitioner which he did not refund.

Submission of the learned counsel for the petitioner is that though the allegation is false and even if it is assumed to be correct each and every non-refund of money does not give rise to ingredient of dishonest intention. The complainant has civil remedy.



Learned counsel for the complainant opposed the prayer for bail.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Complaint Case No. 605 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and 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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