

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53438 of 2016

Arising Out of PS.Case No. -58 Year- 2016 Thana -MASAURHI District- PATNA

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Uday Kumar S/o Brijnandan Prasad, R/o Mohalla Sati Sthan, P.S.
Masaurhi, District Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Dwarika Jamadar S/o Late Dukhan Jamadar, R/o Dargaahi Bigha, P.S.
Belaganj, Dist. Gaya

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh, Advocate

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-03-2017 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Opposite Party No.2.

The petitioner is apprehending his arrest in a case registered under Sections 420 and 406 of the Indian Penal Code.

The prosecution case, in brief, is that the informant came in contact with the petitioner in the year 2008 and on the request of the petitioner he gave Rs.3 lacs on the promise that the said money would be doubled in three years. After three years the petitioner came to the petitioner along with the receipt and requested for return of the money but the petitioner refused to return the money and abused him.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The



petitioner has falsely been implicated in the present case. It is further submitted that the petitioner is ready to deposit an amount of Rs.1,50,000/- in the court below, which shall be released in favour of the Opposite Party No.2.

Learned counsel for the Opposite Party No.2 has no objection to the said offer made by the petitioner.

On behalf of the State and the learned counsel for the Opposite Party No.2, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, the petitioner is ready to deposit an amount of Rs.1,50,000/- in the court below, which shall be released in favour of the Opposite Party No.2 and on doing so, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Masaurhi in connection with Masaurhi P.S. case No.58 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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