

IN THE HIGH COURT OF JUDICATURE AT PATNA**Criminal Miscellaneous No.43717 of 2016**

Arising Out of PS.Case No. -162 Year- 2016 Thana -SHASTRINAGAR District- PATNA

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1. Sunil Kumar Suman Son of Late Ramanuj Singh, Resident of Village and Post Office- Painathi, Police Station- Bihta, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Amrendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

4 11-01-2017 Heard learned counsel for the petitioner, learned APP as well as learned counsel for the informant.

It has been alleged by the informant that petitioner, who had received Rs. 6 Lacs from him as friendly loan, declined to return back the same whereupon apprehended that the aforesaid amount has been misappropriated.

Annexing an agreement, learned counsel for the petitioner has submitted that the aforesaid amount was received against hypothecated ornaments. Furthermore, though a cheque of Rs. 2, 25,000/- was issued in favour of the informant by the petitioner but informant himself failed to place the same before the Bank. It has also been submitted that they are ready to settle the dispute and for that, petitioner be granted provisional bail whereupon learned counsel for the informant does concede.



Accordingly, petitioner, Sunil Kumar Suman is directed to be released on provisional bail for eight weeks on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Smt. Aditi Gupta, Judicial Magistrate, 1st Class-Patna in connection with Shastri Nagar PS Case No. 162 of 2016 (G.R. No. 2456/2016) subject to the condition that before furnishing bail bond, petitioner will deposit Rs. 1 Lac and the rest settled amount be deposited within the aforesaid stipulated period.

In case, there happens to be saturation of the amount duly conceded by the informant, then in that event, the learned lower court will confirm the provisional bail failing which, the privilege of provisional bail having been allowed in favour of petitioner, will vanish automatically.

(Aditya Kumar Trivedi, J)

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