

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27988 of 2017

Arising Out of PS. Case No. -27700 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Rakesh Kumar, aged about 35 years, S/o Sri Sohan Gope, the Junior Engineer at the office of Executive Engineer, Irrigation Department, Indra Barrage, Dehri-on-Sone, P.S.- Dehri, Distt.- Rohtas, permanent resident of Village- Sikariya More, Chiraiyatar, P.S. Rampur, Distt.- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Satyadeo, S/o Late Binda Prasad Singh, R/V- Amhara, P.S.- Bihta, Distt.- Patna at present rental Flat- 56, Kankarbagh Colony, P.S.- Kankarbagh, Distt.- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 13-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Complaint Case No. 27700 of 2014 registered for offences under sections 420 of the Indian Penal Code and Section 138 of the N.I. Act.

As per allegation, the petitioner is a neighbor of Kumar Gaurav and Kumar Gaurav is the friend of Complainant. As there was a financial problem, he has taken loan of Rs. 5 lac for running the shop and gave a cheque of Rs. 2 lac as return part of Rs. 5 lac. The Complainant put the cheque in the Bank but, the same was returned dishonored leading to lodging of the present case.

Learned counsel for the petitioner submits that he does



not know even the Complainant and, thus, the question of taking loan of Rs. 5 lac does not arise as the Complainant has given loan to Kumar Garav and not to the petitioner and he has misutilized the cheque of Rs. 2 lac.

Let the petitioner should deposit Rs. 2 lac in the court below and the court below will invest the same either in the bank or to the post office so that it may earn the maximum interest and whosoever will succeed in the case will be given the aforesaid amount.

Thus, if the petitioner deposits the aforesaid amount of Rs. 2 lac in the court below within a period of three weeks from today, let the petitioner, namely, Rakesh Kumar, in the event of his arrest or surrender before the court below within a period of three weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Smt. Sangeeta Rani, Sub-Judge-XIV cum Additional Chief Judicial Magistrate, Patna in connection with Complaint Case No. 27700 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shivaji Pandey, J)

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