

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16499 of 2017

Arising Out of PS.Case No. -287 Year- 2014 Thana -PANCHRUKHI District- SIWAN

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Deepak Kumar Singh, Son of Surendra Singh, House No.126, Opposite of Weigh Bridge, B.C.C.L. Quarter, Post- Bhagat Dih, P.S.- Jharia, District- Dhanbad, State- Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sumesh Kumar, Son of Keshav Prasad Singh, Resident of Village- Hardiya, P.S.- Panchrukhi, District- Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma

For the Opposite Party/s : Sri Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 07-07-2017 Heard Sri Rakesh Kumar Sharma, learned counsel for the petitioner and Sri Akshay Lal Pandit, learned Additional Public Prosecutor .

The petitioner, apprehending his arrest in Panchrukhi P.S. Case No. 287 of 2014 registered for the offence under Section 406 and 384 of the Indian Penal Code , has prayed for grant of bail in the event of arrest or surrender.

It was submitted by learned counsel for the petitioner that F.I.R has been lodged on the basis of a complaint case i.e. Complaint Case No. 1589 of 2014, which was filed by the informant/ opposite party no. 2 however, the said case was transferred to the Police and thereafter the present F.I.R. was



lodged. He further submits that as per complaint petition itself the complainant/ informant had given Rs. 1,00000/- to the petitioner which transaction was completed in the state of Gujarat. However, thereafter, the petitioner had refunded Rs. 40000/- . According to learned counsel for the petitioner both petitioner and complainant were friend and working in Gujarat and in good relationship the petitioner had obtained loan money and thereafter, since amount was not refunded in time, the complainant, only with a view to get the amount recovered had filed the complaint, which was registered as Police case.

Sri Akshay Lal Pandit , learned Additional Public Prosecutor has opposed the prayer, however considering the facts disclosed in the case as well as the fact that case has been instituted on the basis of complaint, there is no reason to refuse the privilege of anticipatory bail to the petitioner .

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner Deepak Kumar Singh be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Siwan / concerned court in connection with Panchrukhi P.S. Case No. 287 of 2014 subject to the conditions as



contemplated under section 438(2) of the Code of Criminal
Procedure 1973.

(Rakesh Kumar, J)

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