

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43453 of 2017

Arising Out of Complaint Case No. -848 Year- 2013 District- GAYA

=====

1. Md. Mumtaz Hussain, S/o Qudus Hussain @ Md. Quddus, R/o Mohalla:- Millat Colony, H.No. 28 Bari Road, P.S.- Civil Lines, Dist.- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Waizul Haque, S/o Late Qudrat Ali, R/o Mohalla- White house Compound Near M.G. College, Gaya, P.S.- Rampur, Distt.- Gaya.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 19-09-2017

Heard both sides.

The petitioner apprehends his arrest in Complaint case No. 848 of 2013 for the offences punishable under Section 406 of the Indian Penal Code.

The complainant alleged that he lent Rs. 4,50,000/- to the petitioner but the petitioner did not return the same.

The learned counsel for the petitioner submits that petitioner had earlier borrowed Rs. 1,50,000/- from the complainant for which the complainant had filed a case and the petitioner returned the entire amount and only thereafter the case was compromised. The petitioner never took any money from the



complainant.

It appears that the dispute arose between the two sides on account of borrowing and returning the money.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged 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 Chief Judicial Magistrate, Gaya in connection with Complaint case No. 848 of 2013, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

