

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28469 of 2017

Arising Out of PS.Case No. -157 Year- 2015 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Manish Giri Son of Shri Chandan Giri Resident of Village-Paharpur,
Police Station-Paharpur, District-East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 04-08-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody in
connection with Paharpur P.S. Case No. 157 of 2015 for offences
punishable under Sections 406, 420, 120(B), 506 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that the petitioner along with two others had come to his house on
01.07.2015 stating therein that their two buses are proposed to be
auctioned for default in payment of bank loan and as such, Rs.
3,25,000/- by cash and Rs. 2,00,000/- was given by cheque to the
petitioner and other co-accused but neither the petitioner has



returned the money nor paid the monthly installments to the loan account. Informant has taken the loan from his loan account and he has to pay the installments hence, the FIR has been lodged against the petitioner and other accused persons.

It has been submitted by the learned counsel for the petitioner that he is innocent, the matter relates to civil dispute and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner and he is languishing in custody since 27.02.2017.

However, learned counsel for the informant submits that there was a common agreement between the parties for the loan taken by the petitioner and other co-accused which they have failed to return hence, opposes the prayer for bail.

However, learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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, Motihari, East Champaran, in connection with Paharpur P.S. Case No. 157 of 2015, subject to the condition that



one of the bailors would be a close relative of the petitioner.

(Nilu Agrawal, J)

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