

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1065 of 2018

Arising Out of PS.Case No. -158 Year- 2017 Thana -BIKRAM District- PATNA

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Kamlesh Kumar @ Pappu Singh, Son of Lal Bihari Singh, resident of
Village- Shivgarh, P.S.- Bikram, District- Patna Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Sumeet Kumar Singh, Advocate
For the State : Mr. Mukeshwar Dayal, APPELLANT
For the complainant : Mr.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 15-01-2018 Heard counsel for the petitioner, APP and the counsel
for the complainant.

Petitioner is an accused in a case registered for offence
under sections 406, 420, 120B, 323, 380, 504, 506 and 34 IPC.

Counsel for the petitioner submits that there is a case
and counter case and in petitioner's case police has submitted
final form and as per the complaint case itself at best the
allegation is of failure to refund or return the amount of friendly
loan taken by the petitioner. It is further submitted that the case is
predominantly civil in nature and petitioner has also made claim
of certain amount against the informant of the instant case in
support of which he has placed on record legal notice sent to the
informant on his behalf showing the bank account of the
informant in which some payments have been made by the



petitioner. The charge sheet has also been submitted in the case and the petitioner is in custody since 18.11.2017.

Counsel for the complainant opposes the prayer for bail.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Danapur in Bikram Police Station Case No. 158 of 2017 on the following conditions:-

(a) One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner.

(b) He/she will be well represented on each date and if he/she fails to do so on two consecutive dates, his/her bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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