

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24575 of 2018

Arising Out of PS.Case No. -102 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Mantu Kumar S/o Suraj Saw, R/o Vill.- Purbi Gali Beyapur, P.O.-
Beyapur, P.S.- Maner, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Pinku Kumar S/o Shambhu Prasad, R/o New Panchawati Nagar Bhatha
Road, Near Bind Rai, P.S.- Danapur, P.O.- Danapur, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha
For the Opposite Party/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 05-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Complaint Case no.102(C)/2016 , registered for offences
punishable under Section 420 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that one co-
accused has taken loan of Rs.1,55,000/- from the complainant on
the condition that if he fails to return the amount, he will execute
the sale-deed in his favour.

Submission of the learned counsel for the petitioner is that
he is only a witness to the loan and there is no allegation that he
has taken amount.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Danapur in connection with Complaint Case No.102(C)/2016 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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