

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27040 of 2018

Arising Out of PS.Case No. -3260 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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Shubhash Pandit, S/o- Druv Narayan Pandit, R/v- Bikash Nagar, Chasma
Center Gali, P.O.- Sadakat Ashram, P.S.- Digha, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Sher Singh, S/o- Late Raja Sah, resident of Village- Karbigahiya, P.O.-
G.P.O., P.S.- Jakkanpur, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-06-2018 Petitioner apprehends his arrest in connection with

Complaint Case No. 3260(c) of 2012 lodged for the offences

punishable under Sections 406 and 323 of the Indian Penal Code.

Allegation against the petitioner is that he has taken loan

of Rs.2 lakhs from the complainant in the year 2011 and he has

not returned the same and thereafter he has prepared an agreement

for payment of money and he has again taken Rs.1 lakh from the

complainant and not returned the same.

Submission of learned counsel for the petitioner is that he

has not taken any loan from the complainant as petitioner is

Engineer and there was no occasion for taking loan from the

complainant.



Heard learned APP and learned counsel for the complainant, who has opposed the prayer for anticipatory bail stating that his quashing application has been dismissed and cognizance of the offence has been taken against the petitioner.

Having heard both sides and in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the petitioner.

However, this application is disposed of with a direction to the petitioner to surrender within a period of eight weeks along with a Bank Draft for Rs.2 lakhs in the name of opposite party No.2 and in that event learned court below will release the petitioner on bail to its own satisfaction. It is made clear that the deposit of amount will be subject to the result of the case and the amount will be payable to opposite party No.2.

(Vinod Kumar Sinha, J)

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