

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25929 of 2018

Arising Out of PS. Case No.-2923 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Rakesh Kumar Singh @ Jhunu S/o Prabhu Narayan Singh, R/o B.M.P. XVI,
Opp.- P.N.B., New Sabajpura, Gautam Vihar Colony, P.S.- Phulwarisharif,
District- Patna, PIN -801505.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rajeev Ranjan S/o Late Satyadeo Singh, R/o Opp. B.N. College, P.S.-
Pirbahore Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari
For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner, already in custody, seeks bail in connection
with Complaint Case No.2923(C)/2017, registered under
Sections 406, 420, 323 and 504 of the Indian Penal Code.

Allegation in brief is that the petitioner took loan of
Rs.22 lacs from the complainant and Rs.8 lacs from other
witnesses for getting his daughter admitted in a medical college
and promised the complainant and witnesses to return back the
money after selling his land.

It is contended that no friendly loan was taken by the
petitioner, there is no averment in the complaint whether the



money was paid in cash or by any instrument; whereas learned counsel for the complainant opposes the prayer of bail and submits that also acknowledgment receipt was given by the petitioner at the time of taking loan.

However, considering the aforesaid facts and circumstances, the dispute predominantly appears civil in nature, so petitioner Rakesh Kumar Singh @ Jhunu is directed to be released 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 Sub-Judge-XIV-cum-ACJM, Patna in connection with Complaint Case No.2923(C)/2017 with condition that the petitioner shall remain physically present on each and every date before the trial court as and when required and if he absents himself on two consecutive dates without any reasonable cause, his bail bond shall liable to be cancelled.

(Arun Kumar, J)

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