

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39071 of 2018

Arising Out of PS.Case No. -181 Year- 2013 Thana -DARBHANGA District- DARBHANGA

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1. Sumant Kumar Singh @ Suman Kumar Singh, Son of Yogendra Singh,
Resident of Village- Ahila, Police Station- Bahadurpur, District-
Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Smt. Meena Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 09-07-2018 Heard both sides.

The petitioner apprehends his arrest in Town P.S. Case
No.181 of 2013 registered under Sections 406 and 420 of the
Indian Penal Code and Section 138 of the N.I.Act.

The informant earlier lodged Complaint Case No.962
of 2013 on the basis of which present F.I.R. was registered. The
gist of the allegation is that the informant gave Rs.1,10,000/- to
the petitioner to purchase a tractor on condition that the petitioner
shall pay 1/5th of the benefit earned from the tractor per month till
the payment of entire loan but the petitioner paid only Rs.50,000/-.

The learned counsel for the petitioner submits that the
petitioner borrowed Rs.60,000/- from the complainant and he has



already repaid the entire amount but the complainant-informant taking advantage of cheque placed before him as security lodged his case. It appears that the dispute arose on the ground of payment of loan. The petitioner asserts that he has made all payment but after payment the informant presented the cheque placed before him as security.

Considering the facts aforesaid, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to 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 Addl. Chief Judicial Magistrate-VIIIth, Darbhanga in connection with Town P.S. Case No.181 of 2013, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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