

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59317 of 2018

Arising Out of PS.Case No. -173 Year- 2018 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

=====

1. Sujit Kumar S/o Late Saryug Mistri , R/o Vill.- Pesaur, P.S.- Rahui,
District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad No.-1, Adv

For the Opposite Party/s : Mr. Sri Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 01-11-2018 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
420,406 of the Indian Penal Code.

Allegation is that the petitioner had taken
Rs.1,85,000/- from the informant for managing
employment for the informant.

Learned counsel for the petitioner submits that
in fact the petitioner had advanced loan to the informant
and informant refunded the same. However, in absence of
any evidence of advancement of loan by the petitioner to
the informant, petitioner is ready to refund Rs.85,000/-
which was paid in the bank account of the petitioner. The



refund shall be made through bank draft in the name of informant before filing of the bail bond.

Considering the undertaking aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Rahui P.S.Case No.173 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

Before accepting the bail bond, the learned court below shall satisfy about the aforesaid undertaking of refund of Rs.85,000/-.

(Birendra Kumar, J)

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