

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11494 of 2018

Arising Out of PS.Case No. -901 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Bipin Kumar, Son of Sri Awadhesh Prasad, Resident of Mohalla-
Shivpuri Anisabad, P.S.-Gardanibagh, District-Patna.

.... Petitioner

Versus

1. The State of Bihar
2. Ratneshwar Sharma, Son of Late Sudarshan Sharma, Resident of Village-
Nathupur, P.O.-Doghara, P.S.-Bihta, District-Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Dr. Chandra Shekhar Azad

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-02-2018 Heard both sides.

The petitioner apprehends his arrest in Complaint Case
No.901(C)/2015 registered under Section 420 of the Indian Penal
Code.

The complainant alleged that the petitioner took
Rs.10,85,000/- as a loan to the petitioner in pursuance of an
agreement to return the same for treatment of wife of the
petitioner.

Learned counsel for the petitioner submits that the
petitioner never received any amount from the complainant. The
complainant kidnapped the petitioner on 20.05.2015 and
demanded extortion of Rs. 10 lakh. The petitioner again gave



information to this effect to the police. No chit of paper is produced to show that the petitioner received any money from the complainant for the treatment of his wife.

On the other hand, learned counsel for the complainant vehemently opposed the prayer for anticipatory bail and submitted that the prayer for anticipatory bail of the petitioner was rejected by learned Additional Sessions Judge on 17.11.2016 but the petitioner filed this anticipatory bail petition in the High Court in the year 2018. The petitioner has got no apprehension to be arrested.

Having considered the facts that the complainant of course alleged that he gave Rs. 10, 85,000/- for treatment of the wife of petitioner but there is no chit of paper on the record to show that the petitioner received any money. It appears that on 25.05.2015, the complainant is alleged to have kidnapped the petitioner, for which information was also given to the police, 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 Sri Anil Kumar Thakur, J.M. 1st Class, Danapur, in



connection with Complaint Case No.901©/2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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