

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51289 of 2018

Arising Out of PS. Case No.-970 Year-2016 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Mithilesh Paswan @ Mithilesh Kumar Paswan @ Mithlesh Kumar Paswan,
Son of Maheshwar Paswan, Resident of Village- Nawadih, P.S.- Rupau (O.P.
Kawakol), District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Narendra Paswan, Son of Suresh Paswan, Resident of Village- Nanaura, P.S.-
Rupau, District- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh
For the Opposite Party/s : Mr. Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-12-2018 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 offence punishable under Section 420 of the
Indian Penal Code.

Petitioner is brother-in-law of co-accused Ravindra
Paswan and Ravindra Paswan is brother-in-law of the
complainant of this case. Wife of Ravindra Paswan has already
lodged a criminal case against Ravindra Paswan for offence
under Section 498A of the Indian Penal Code.

Allegation is that the complainant had advanced loan
of rupees one lakh and eighteen thousand to the petitioner on the
request of the petitioner but he did not return the same.



Submission is that there is no evidence of advancement of huge amount, rather the case lodged by wife of Ravindra Paswan would show that some motive is there behind this case. Moreover, each and every non-refund of money does not constitute dishonest intention. Petitioner has got no criminal antecedent.

Learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the entire facts of this case above, 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/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Complaint Case No. 970 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Kundan/Rajan

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