

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5318 of 2018

Arising Out of PS.Case No. -86 Year- 2017 Thana -DIGHALBANK District- KISANGANJ

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1. Manmohan Choudhary S/o Late Ram Narayan Choudhary, R/o Village-Pothimari, P.S.- Dighalbank, District- Kishanganj, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 07-02-2018

Heard both sides.

The petitioner apprehends his arrest in Dighalbank P.S. case No. 86 of 2017 for the offences punishable under Section 406, 420 of the Indian Penal Code.

The informant alleged that on the request of petitioner the informant and others lent Rs. 5 lac to Santosh Kumar Choudhary, son of petitioner, for doing business but Santosh Kumar Choudhary did not return the money and committed criminal breach of trust and also cheated the informant.

The learned counsel for the petitioner submits that petitioner is father of Santosh Kumar Choudhary. The petitioner did not execute any agreement. Santosh Kumar Choudhary executed the agreement and assured to repay the money to the



informant.

The learned counsel for the informant as well as the learned A.P.P. vehemently opposed the prayer for anticipatory bail but from perusal of the agreement itself it appears that it was Santosh Kumar Choudhary who entered into an agreement with the informant and borrowed money from him and no part was played by the petitioner.

Considering the facts aforesaid and the nature of allegation made against the petitioner, 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 Sub divisional Judicial Magistrate, Kishanganj in connection with Dighalbank P.S. case No. 86 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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