

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10368 of 2019

Arising Out of PS. Case No.-643 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Md. Raju S/o Late Md. Ali Imam @ Late Ali Imam R/o 38 Ward No. 25
Wanauliya Near Murtuza Aran Ke Masjid Bihar Sharif, P.S.- Bihar Sharif,
District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sannu W/o Md. Makarim @ Lal Babu R/o Kutubdin Lane Dariyapur, P.S.-
Pirbahore, District- Patna, Proprietor of Sannu Enterprises Kutubdin Lane
Dariyapur, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr.Sanjay Mandal, Advocate
For the State : Mr.Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 3 16-04-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No.2.

The petitioner seeks bail in a case registered under
Sections 420/34 of the I.P.C. and Section 138 of N.I. Act.

Allegation is that the petitioner had taken loan of Rs.2
lacs from the complainant, but he did not return.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 22.11.2018 and has got no
criminal antecedent. Charge sheet has been submitted in the
case. There is no allegation of tampering of witnesses alleged
against the petitioner. The petitioner has falsely been implicated



in the present case. There is no substantive evidence to suggest the implication of the petitioner in the present case. No cheque has been issued by the petitioner. The only evidence is that the ekrarnama entered between the parties. Same is unregistered document. The petitioner shall co-operate during the trial.

On behalf of the State and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case. The petitioner had taken a loan of Rs.2 lacs from the complainant.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Complaint case No.643C of 2016.

If so advised, the parties will file a petition before the court below for referring the matter to the District Mediation Centre for one time settlement.

(Sudhir Singh, J)

Narendra/-

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