

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10449 of 2019**

Arising Out of PS. Case No.-147 Year-2018 Thana- BARIYARPUR District- Munger

Baldev Sah @ Balo Sah, Son of Late Sheetal Sah R/o Village- Bariarpur
Bazar , P.S- Bariarpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Najmul Hodda

For the Opposite Party/s : Mr. Tapeswar Sharma

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 27-02-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of
Bariarpur Police Station Case No. 147 of 2018, disclosing
offences punishable under Sections 406 and 420 of the Indian
Penal Code.

The allegation against the petitioner is of having taken
certain amount from the informant as loan on different dates i.e.
from 13.12.2014 up to 17.12.2015, which, the petitioner is said
to have refused to return.

Learned counsel, appearing on behalf of the
petitioner, has submitted that no offence under Section 420 of
the Indian Penal code is made out, on the basis of what has been



alleged in the First Information Report.

Considering the nature of dispute between the parties,
this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand), with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IIInd, Munger, in connection with Bariarpur Police Station Case No. 147 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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