

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12948 of 2019

Arising Out of PS. Case No.-1211 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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RAM SHANKAR MISTRY Son of Late Kalyan Mistry Resident of Village -
Arra Mashin, Layee Road Near Canal, Bihta, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shyam Babu Ram Son of Late Sukul Ram Resident of Village - Rajpur, P.O.
and P.S.- Bihta, District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Sinha, Adv
For the Opposite Party/s	:	Mr.Uma Shankar Prasad Singh,APP
For the OP No. 2	:	Mr. Sachidanand Rai, Adv

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-03-2019 Heard learned counsel for the petitioner and learned APP for the
State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 420, 323 and 504 IPC registered in connection with
Complaint Case No. 1211(c)/2017.

3. It is submitted that the petitioner has been falsely implicated
in a transaction involving grant of loan on interest by the complainant
to the petitioner in terms of agreement between the parties is of purely
civil nature. In any event partial repayment has been made by the
petitioner, who claims clean antecedents.

4. Learned counsel for the complainant-opposite party appears
and the claim of partial repayment has been denied.

5. Be that as it may, in the event of the petitioner's arrest or
surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner be
released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)
with two sureties of like amount each to the satisfaction of learned



ACJM VI, Danapur, in connection with Complaint Case No. 1211(c)/2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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