

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29107 of 2019

Arising Out of PS. Case No.-261 Year-2018 Thana- BUXAR MUFFSIL District- Buxar

SANTOSH KUMAR SHUKLA Son of Late Sachidanand Shukla Resident of Ward No. 11, Shuklpura, Raghunathpur, Buxar, P.S.- Buxar (M), Distt - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms.Mayuri Mr. Ravi Kumar Singh
For the Opposite Party/s	:	Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-05-2019 Heard both sides.

The petitioner apprehends his arrest in Buxar (M) P.S. Case No.261 of 2018 registered under Sections 420 and 406 of the Indian Penal Code.

The informant filed Complaint Case No.758(c) of 2018 which was sent to the police station for institution of the case and investigation whereupon the present case was registered. The informant alleged that the petitioner was imparting tuition to his son and brother but the petitioner demanded money for marriage of his sister. The informant and his family members on different dates gave Rs.4 lacs to the petitioner but the petitioner did not return the money.

The learned counsel for the petitioner submits that in



fact, the informant himself had borrowed Rs.1,75,000/- on 14.10.2017 and executed a deed of agreement which is Annexure-3 acknowledging the receipt of money from the petitioner. The petitioner also filed informatory petition to the police station that since the petitioner was demanding his money the informant might have lodged false case and the informant thereafter lodged this case.

It appears that informant claimed that he lends Rs.4 lacs to the petitioner for the marriage of his sister but the petitioner denied to have received any money from the informant rather the petitioner claimed that the informant borrowed money from him and when the petitioner demanded money, the informant lodged this false and frivolous case.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioner and the fact that dispute relates to the lending and borrowing of money, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Buxar (M)



P.S. Case No.261 of 2018, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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