

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31008 of 2019

Arising Out of PS. Case No.-4746 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Vishwajeet Kumar @ Bittu, Aged about 28 years, Male, Son of Late Awadesh Singh, Resident of Village Harishchandra Nagar, P.S. Beur, District Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Janak Prasad, aged about 55 years, Male, Son of Late Sitaram Prasad, Resident of Village Harishchandra Nagar, P.S. Beur, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivanand Singh

For the Opposite Party/s : Mr.Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-05-2019 Heard both sides.

Petitioner apprehends his arrest in Complaint Case No. 4746(C) of 2017 for the offences allegedly committed by the petitioner under Sections 323, 379, 418, 504 read with Section 34 of the Indian Penal Code.

The complainant alleged that the petitioner lend Rs. 6,90,000/- on different dates to the petitioner and Sarita Devi for the purpose of running business. When the complainant demanded money, Rs.4,10,000/- was deposited in the account of the complainant standing in Punjab National Bank through R.T.G.S. and cheque bearing number '339383' of Rs.2,80,000/- was issued in the name of the complainant. It is further submitted that when the cheque was presented, the cheque was returned due to non-



availability of the money in the account of the petitioner and Sarita Devi. When the complainant went to demand money, the accused persons assaulted the informant.

Learned counsel for the petitioner submits that it is true that the petitioner borrowed money from the complainant but the entire amount had already been given to the complainant, sometimes through R.T.G.S. and sometimes in cash. The cheque was given to the complainant as security but the complainant did not return the cheque and filed this case making false allegations.

Considering the facts aforesaid and nature of allegations made against the petitioner and the fact that dispute arose on account of lending money, let 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 this order, 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 the learned Sub-Judge-VIIIth-cum-A.C.J.M., Patna in connection with Complaint Case No. 4746 (C) of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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