

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.739 of 2019

Arising Out of PS. Case No.-1272 Year-2018 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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OM PRAKAS SAKSERIA @ OM PRAKASH SAKSHARIA Son of Late Satya Narayan Sakseria Resident of Binodpur Mahila College Road, P.S.- Katihar Town, District - Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar and Anr Bihar
2. Rajeshwar Singh Late Ram Nagina Singh Resident of Gami tola, Hazirganj Ward No. 27, P.S. and District - Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-01-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint Case NO. 1272 of 2018, disclosing offences under Sections 420,406 of the Indian Penal Code.

It is alleged that the complainant had given to the accused persons some amount as loan to be tune of Rs.6,50000/- which amount has not been repaid despite several demands. It is also alleged that an agreement in respect of repayment of a sum of Rs. 6,50000/- was also prepared but the accused persons have yet not repaid the amount.

Learned counsel appearing on behalf of the petitioner has submitted that he is father of the co-accused Pawan Kumar



Sakseria and Basu Sakseria, who are said to have taken the amount as loan from the complainant. The petitioner has been implicated only for the purpose of putting an undue pressure. On perusal of the materials on record, I find force in the submission made on behalf of the petitioner.

This application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, 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 Chief Judicial Magistrate, Katihar in Complaint Case No. 1272 of 2018, subject to the conditions as 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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