

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32212 of 2019

Arising Out of PS. Case No.-301 Year-2015 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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SANJAY KUMAR SONI Son of Late Dinanath Soni Resident of Village -
Arya Nagar, Ward No. 17, P.S.- Ramnagar, District- West Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bablu Kumar Soni Son of Rameshwar Prasad Resident of Village - Bari
Tola, Ward No.-3, P.S.- Ramnagar, District- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

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

ORAL ORDER

2 15-05-2019 Heard learned counsel for the parties.

This is an application for grant of anticipatory bail
in connection with Tr. No. 677 of 2019, arising out of Complaint
Case No. 301 of 2015, registered for the offence punishable
under Section 406 of the Indian Penal Code.

Allegedly, the complainant had helped the petitioner
by giving personal loan of Rs. 1,70,000/- for purchase of a
piece of land in the year 2012. He, however, did not repay the
loan amount, leading to lodging of the complaint case in 2015.

Learned counsel for the petitioner has submitted that
it is a case of pure civil dispute and that there is no evidence that
the said amount was ever given to the petitioner.



Considering the nature of dispute, 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 bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the Sri P.K.Sharma, learned Judicial Magistrate 1st, Bagaha in connection with Tr. No.677 of 2019, arising out of Complaint Case No. 301 of 2015, subject to the condition 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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