

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70716 of 2018

Arising Out of PS. Case No.-667 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Kumar Sourav, Son of Panchanan Kumar, resident of Asmi Apartment, 3rd
Floor Haripur Colony Digha, P.S.- Digha, District- Patna.

... .. Petitioner

Versus

1. State Of Bihar,
2. Raj Kumar, Son of Late Ram Bishun Prasad, resident of Village- Chaili Tand,
Makhanpur, P.S.- Alamganj, District- Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Siddharth Harsh

For the Opposite Party/s : Mr. Ram Sumiran Roy

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 04-02-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 667 of 2017, registered under
Sections 406, 420, 323 and 504 of the Indian Penal Code.

The accusation is that on the request of the
petitioner, complainant gave Rs. 3,51,000/- as a loan on
different dates through cheques and cash, but in spite of several
requests, only Rs. 5000/- was deposited by the petitioner in the
account of complainant, but remaining amount of
Rs. 3, 46,000/- was not paid by the petitioner. Thereafter, legal
notice was sent to the petitioner and after receiving the legal



notice, petitioner came to the house of informant and started to abuse.

Learned counsel for the petitioner submits that, in fact, complainant is own Mause of the petitioner and on the request of wife of the complainant, petitioner gave Rs. 3,30,000/- on execution of agreement on 12.07.2014, but complainant only returned Rs. 1,76,000/- and grab the remaining amount, but with ulterior motive, the present case has been lodged.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-III, Patna City, Patna in connection with Complainant Case No. 667 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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