

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45777 of 2019

Arising Out of PS. Case No.-900 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Sanjay Kumar, S/O Sri Deolagan Singh R/O Village- Gardanibagh, Kachchi
Talav, P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satish Kumar S/O Umesh Lal Sinha R/o Village- Dhannu Chak, P.O. and
P.S.- Parsa bazar, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Kumar

For the Opposite Party/s : Mr. Mohammad Sufyan

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

ORAL ORDER

2 24-07-2019 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. 900 (C) of 2018, registered under
Section 420 of the Indian Penal Code and Section 138 of the
N.I. Act.

The accusation is that petitioner took Rs. 15 Lakhs
from the O.P. No.2 for establishing the Toffee business for
which he executed a deed of agreement to return the said
money within 10 months, but in spite of several requests, the
petitioner did not return the said money to the O.P. No.2, while
O.P. No.2 sent legal notice to the petitioner to return Rs. 15 Lakhs, but



petitioner did not give any heed on it.

Learned counsel for the petitioner submits that if the case, as narrated by the O.P. No.2 in the Complaint petition, is taken to be true then also no case under Section 406 and 420 is made out against the petitioner and the dispute appears to be civil in nature.

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 A.C.J.M., Patna in connection with Complaint Case No. 900 (C) of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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