

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70114 of 2018

Arising Out of PS. Case No.-17 Year-2017 Thana- MUNGER COMPLAINT CASE District-
Munger

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Girish Kumar S/o Late Mahadeo Mandal, Resident of Mohalla- Commercial
Department D.R.M. office, South Eastern Railway Aadra, P.O.- Aadra,
District- Puralia (West Bengal).

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Raj Kumar, S/o Late Sukhdeo Mistri, Resident of Village- Dilawarpur Bara
Sah Juber Road, P.S. Kotwali, District- Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar
For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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

ORAL ORDER

10 27-09-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

None appears on behalf of the opposite party no.2.

The petitioner apprehends his arrest in connection with
Complain Case No.17C of 2017 registered under Sections 323, 408,
468, 420 and 504 of the Indian Penal Code.

The accusation is that the petitioner made request to the
opposite party no.2 to give Rs.2,00,000/-, saying that he is in urgent
need of money for the treatment of his wife. Thereafter, the opposite
party no.2 transferred Rs.2,00,000/- in the account of the petitioner
on 14.03.2015 on the assurance of the petitioner that he will return
the same within six months but in spite of much persuasion, the



petitioner did not return the aforesaid money to the opposite party no.2.

Learned counsel for the petitioner submits that the petitioner is ready to return Rs.2,00,000/- to the opposite party no.2.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Munger, in connection with Complain Case No.17C of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C., and showing the receipt of payment of Rs.75,000/- to the opposite party no.2, with further condition that the petitioner will pay the remaining amount, i.e., Rs.1,25,000/- to the opposite party no.2 within six months from today, failing which the trial court would be at liberty to cancel the bail bond of the petitioner.

(Rajendra Kumar Mishra, J)

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