

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7225 of 2020

Arising Out of PS. Case No.-14 Year-2018 Thana- KAHALGAON District- Bhagalpur

RAVI KUMAR @ PREM KUMAR SINHA Son of Sanjay Prasad Sinha
Resident of Village - Baraini, P.S.- Kahalgaon, Distt - Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s	:	Mr.Ansar Ul Haque, APP
For the Informant	:	Mr. Praveen Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 26-06-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State as also the learned Counsel appearing for the informant.

Petitioner seeks bail in Kahalgaon PS Case No. 14 of 2018 registered under Sections 406, 420, 467, 468 & 34 of the IPC.

The informant has alleged that the petitioner allured him to join in partnership for executing BSNL contracts. Fifteen lakh rupees are alleged to have been given to the petitioner, which has not been returned.

Learned Counsel for the petitioner submits that in fact father of the petitioner had earlier lodged Sanha and complaint petition against the informant. There is a case and counter case. The



bone of contention is the money arising out of the partnership business between the informant and the petitioner. In these circumstances the petitioner is in custody since 22.11.2019. The dispute is predominantly civil in nature.

Learned APP for the State and the learned Counsel for the informant have opposed the prayer for bail. They have submitted that the petitioner is habitual offender and other cases are pending against him in Jharkhand of similar nature.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named 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 CJM Bhagalpur in Kahalgaon PS Case No. 14 of 2018 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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