

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61630 of 2024

Arising Out of PS. Case No.-1583 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Harendra Kumar Pathak Son of Lt. Kameshwar Pathak Resident of Saguna,
near Gandhi Moorti, P.S.- Danapur, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mukesh Kishore Son of Surendra Kumar Singh R/O RPS Saguna More,
Sudha Booth, P.S.- Danapur, Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar Ray, Adv.
For the State : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-12-2024 Heard Mr. Virendra Kumar Ray, learned counsel for

the petitioner, opposite party no. 2 and Mr. Dilip Kumar No. 1,

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 420 of the
Indian Penal Code and Section 138 of the NI Act.

3. It is alleged in the FIR that the petitioner took
money from the complainant with assurance to repay within two
months but he did not return the same.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that the petitioner and complainant are close
friends, hence, the petitioner had taken a friendly loan from the



complainant in the year 2016 which has already been returned to him but due to dishonest intention, false case has been lodged against the petitioner. He submits that there is civil/money dispute between the parties. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and opposite party no. 2 oppose the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. 1583(C) of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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