

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25056 of 2014

Arising Out of PS.Case No. -915 Year- 2010 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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1. Md. Tahid @ Md. Tahmit @ Sikandar S/o Md. Sabbir Resident of
Village Gaopur, P.S. Ujiarpur, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Satya Narayan Prasad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Asha Kumari(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

5 27-01-2015 Heard the parties.

In this application for anticipatory bail the petitioner apprehends his arrest for the offence punishable under sections 418, 406, 323 and 384 of the I.P.C.

Allegedly, the petitioner being the District Coordinator of Dr. Aryan Clinic Private Limited and Mukesh Kumar being Organizer entered into an agreement with the Complainant who is running Jagdamba Swasth Sewa Sadan for doing the health insurance of public in rural area and after taking Rs. 1575/- per person issued Health Card. It was agreed that the patients would be treated at his Sewa Sadan and the expenses incurred in the treatment would be met by the Company and



accordingly the Complainant spent Rs. 2,30,000/- on the treatment of his person and when the bills were sent the co-accused Mukesh Kumar issued a cheque only of Rs. 20,500/- that was also dishonored. When payment was not made in Consumer Forum case was filed and thereafter the petitioner and co-accused became angry and assaulted the Complainant and the petitioner is alleged to have taken out his knife and on the point of knife he took his signature on the papers.

Submission is of false implication and that the petitioner has got no concern with Mukesh Kumar and his Company. He was never the District Coordinator and he has neither participated in execution of any agreement nor has he signed any chit of paper. Against the petitioner no case under section 406 I.P.C. is made out. As a matter of fact, the Complainant and co-accused were well known to each other and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the Complainant opposes the prayer for bail by submitting that the petitioner has also taken active part in the entire episode.

Considering the submissions urged at the bar, going through the records and noticing that the co-accused Mukesh Kumar has entered into an agreement not the petitioner and as

such in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. Sri Ravindra Kumar, J.M. Ist Class, Samastipur in Complaint Case No. 915 of 2010/ T.R. No. 1021 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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