

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37123 of 2015

Arising Out of P.S.Case No. -211 Year- 2014 Thana -AURANGABAD TOWN District-
AURANGABAD

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Upendra Choubey @ Upendra Kr. Chaubey, S/o Late Dhanpat Choubey,
R/o Village- Bihta, P.S. Imadpur, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra, Advocate

For the Opposite Party/s : Mr. Md. Ansarul Haque (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-09-2015 Heard learned counsel for the petitioner Sri Sheo Jee Mishra and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Aurangabad Town P. S. Case no. 211 of 2014 for the offence alleged under Sections 420, 467, 468 and 406 of the Indian Penal Code.

The prosecution case is that informant being the proprietor of Anapurna Construction Firm engaged the petitioner as a care-taker of the said firm and handed over to him many letter heads and other documents signed by the informant. The petitioner was given Rs. 2 lakhs for expenses by the informant but no account was given for the same and later on, petitioner was discharged from service and hence this case has been lodged. The petitioner also prepared a partnership deed on the letter head.

It has been submitted by the learned counsel for the petitioner that he has a clean antecedent and since the petitioner has lodged a case against the informant being Imadpur P. S. Case

no. 48 of 2013 on 1.11.2013 under Sections 420 and 406 of the Indian Penal Code, as a counterblast the present case has been lodged against the petitioner. He further submits that in fact the informant owes him money out of the partnership business which has not been paid by the informant.

Under such circumstances, let petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad Town P. S. Case no. 211 of 2014 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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