

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1781 of 2015

Arising Out of PS.Case No. -3046 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Bimlesh Kumar Das

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s Mr. Rajesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 15.01.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. 3046 of 2012 in which cognizance has been taken
under sections 406,420 and 384 of the IPC.

According to the complaint case itself, petitioner took Rs
10/- lakhs on 28.02.2007 and Rs 5/- lakhs on 01.03.2007 and
complainant filed Complaint Case No. 2673 of 2010 in respect of the
above stated amount of Rs 10/- lakhs but she did not even whisper in
respect of amount of Rs 5/- lakhs in Complaint Case No. 2673 of
2010.

The contention on behalf of the petitioner is that the
aforesaid Complaint Case No. 2673 of 2010 has been disposed of and
the petitioner has already been acquitted of the charges and moreover,
even if pleading of complaint petition assumed to be true, then also, it
is only case of breach of contract.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Sri Ajay Kumar, Judicial Magistrate, Ist Class, Purnea/ concerned court in Complaint Case No. 3046 of 2012 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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