

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36101 of 2014

Arising Out of PS.Case No. -46 Year- 2014 Thana -SC/ST P.S. District- MUZAFFARPUR

Subodh Kumar S/o Sri Nirajan Prasad Srivastava Resident of Mohalla
Akharaghat Road, Sadhu Gachhi, P.S. Ahiyapur, District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Arvind Kumar, Advocate

For the Opposite Party : Mr. Ambika Bhagat(Spl.Pp)

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA

PRATAP SINGH

ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioner and the other
side.

The petitioner apprehends arrest in a case under sections
406,420,323,504,506,379/34 of the Indian Penal Code and
under the SC and ST Act.

The informant, Ravi Kumar states that he paid
Rs.1,50,000/- to one Niraj Kumar, proprietor of Reliable India
Company, for dealership. However, after a month said Niraj
Kumar stopped supplying the product and thus a dues of
Rs.1,75,000/- was existed against him. It is alleged that when
the informant approached for his money, he was assaulted and
abused by taking caste name by said Niraj Kumar and others
including the petitioner, Subodh Kumar, who is also said to
have taken Rs.3,600/- from informant's pocket.

Learned counsel for the petitioner submits that he has been falsely implicated in this case, as admittedly he happens to be an associate of Niraj Kumar, who has earlier filed the complaint case bearing Complaint Case No. 926 of 2014 against the informant of the instant case. Learned counsel further submits that from bare reading of the prosecution case it is evident that some sort of monetary dispute was going on between the informant, Ravi Kumar and Niraj Kumar. He submits that the allegations are utterly false and the petitioner has been made an accused in order to take revenge against people associated with Niraj Kumar.

Having regard to the facts and circumstances of the case, of the petitioner as mentioned above, surrenders and seeks regular bail, the same would be disposed of by the court below i.e. the court of Addl. Chief Judicial Magistrate, Muzaffarpur, on the same day without being prejudiced also taking into consideration that the informant had main dispute with Niraj Kumar.

The bail petition is thus disposed of.

(Samarendra Pratap Singh, J)

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