

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12388 of 2015

Arising Out of PS.Case No. -302 Year- 2014 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

Nakir

.... Petitioner

Versus

1. The State of Bihar.
2. Md. Maskur.

.... Opposite Parties.

Appearance :

For the Petitioner : Mr. Radha Mohan Singh, Advocate.
For the State : Mr. Iftekhar Mahmood(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 25-03-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending his arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 420, 504 and 506 of the Indian Penal Code.

It is alleged that the complainant entered into an agreement with this petitioner to do construction work for which the complainant gave Rs. 7,50,000/-. Subsequently, the petitioner withdrew Rs. 25,00,000/- from the construction company but did not pay 50% of the same to the complainant as stipulated under agreement. The complainant also could not get back his initial invested money Rs. 7,50,000/-.

It is submitted by learned counsel for the petitioner that there is no proof with regard to payment made to the petitioner or any agreement for sharing the profit.

Considering the nature of accusation arising out of contractual relationship between the parties, statement made in paragraph no. 3 of the petition that the petitioner has no criminal antecedent when accusation has been ventilated through complaint, let the petitioner, above named, be released on bail in the event of arrest or surrender before the learned court below within a period of twelve weeks from today in connection with Complaint Case No. 302 of 2014 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Madhepura, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Dinesh Kumar Singh, J)

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