

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2496 of 2016

Arising Out of PS.Case No. -853 Year- 2011 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

1. Asif Karim @ Asip Karim @ Md. Asif Karim Son of Md. Samsul Aarfin,
a resident of Mohalla - Dr. Rajjak Colony, Alamganj, P.S. - Alamganj,
District - Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Anil Kumar, Son of Late Yugal Kishore Gupta, a resident of Mohalla -
Mogalpura, Durkhigali, P.S. - Khajekalan, P.O. - Jhauganj, District - Patna.

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 19-01-2016

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of C.A. Case no. 853 of 2011, disclosing offences under sections 406 and 420 of the Indian Penal Code and section 138 of the N. I. Act.

Upon perusal of the complaint petition and the assertions made in the present case seeking anticipatory bail, it transpires that earlier cognizance was taken for different offences but subsequently by order dated 11.12.2014 cognizance under sections 406 and 420 of the Indian Penal Code and Section 138 of the N. I. Act was taken giving cause of action to the petitioner to approach this Court seeking anticipatory bail.

Upon considering the submissions advanced at the Bar and the statements made in the application seeking anticipatory bail, I am convinced that it is purely a civil dispute between the parties for which money suits have been filed by them.

Considering the above, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Shri A. K. Rai, Judicial Magistrate, 1st Class, Patna City in connection with C.A. Case No. 853 of 2011, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

This is subject to the condition that the petitioner shall present himself before the police/court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Amin/-

U		T	
---	--	---	--