

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16976 of 2016**

Arising Out of PS.Case No. -350 Year- 2012 Thana -PATNA COMPLAINT CASE District-  
PATNA

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Rash Bihari Singh, Son of Late Madan Mohan Singh, Residents of Village-  
Hathidah, P.S.- Hathidah, District- Patna

.... .... Petitioner

Versus

1. The State of Bihar  
2. Surendra Singh, Son of Late Amir Singh, resident of village- Hathidah,  
P.S.- Hathidah, District- Patna

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Syed Masleh-Uddin Ashraf, Advocate.  
For the Opposite Parties : Ms. Meena Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

5      22-07-2016      Heard both sides.

The petitioner apprehends his arrest in Complaint Case  
No. 350(C) of 2012 registered for the offences punishable under  
Sections 420, 467, 468, 471, 323 and 504 of the Indian Penal  
Code.

The complainant/opposite party no. 2 alleged that he  
was working under the petitioner, but the petitioner opened Maa  
Kali Traders in the name of complainant/opposite party no. 2 and  
the petitioner got signature of opposite party no. 2 on all the blank  
cheques. The petitioner also opened different firms in fake names.  
It is alleged that the complainant received notice from the  
Commercial Tax Department that Rs. 11,00,000/- is lying due

against him then the complainant filed this complaint case.

Learned counsel for the petitioner submits that the petitioner is not at all concerned with the Maa Kali Traders. The petitioner never opened Maa Kali Traders in the name of the complainant.

Whereas the learned counsel for the complainant vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner has given in his own handwriting the undertaking that he is liable to pay the commercial tax dues standing in the name of Surendra Singh, son of Late Amir Singh.

It appears that the complainant, of course, made allegation that the petitioner opened different firms in the fake name of the complainant, but no paper has been produced to show that the petitioner make any transaction of Maa Kali Traders.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Barh,

Patna in Complaint Case No. 350(C) of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Prabhat Kumar Jha, J.)**

KKSINHA/-

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