

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20668 of 2016

Arising Out of PS.Case No. -30093 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

Avaneesh Yadav, proprietor of Avaneesh Enterprises, S/o Jitendar Singh
R/v- Allalpatti near at the house of Lalit Yadav, M.L.A., P.S.- Bahadurpur,
Distt- Darbhanga permanent resident of Village- 3rd-K, 35/3A, Nehru
Nagar, Gajiyabad, (U.P.) Petitioner

Versus

1. The State of Bihar
2. Dinesh Yadav @ Dinkar Jee, S/o Late Awadh Narayan Yadav R/v- Q1
Jagat Enclave, Ashiyana Nagar, Rajiv Nagar, Dist- Patna.
.... Opposite Parties

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 23-05-2016

Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the complainant.

The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 30093(c) of 2014 registered under
Section 406 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
the dispute, if any, between the parties is civil in nature and
essentially a criminal case has been instituted just in order to
recover due amount from the petitioner.

Learned counsel for the complainant has vehemently
opposed the application for grant of pre-arrest bail to the

petitioner. He has submitted that the complainant has fully supported the allegations made in the complaint and the witnesses examined during inquiry conducted under Section 202 of the Code of Criminal Procedure have also supported the allegations. According to him, the petitioner has committed serious criminal breach of trust for which the court had taken cognizance under Section 406 of the Indian Penal Code and summoned the petitioner in exercise of power under Section 204 of the Code of Criminal Procedure.

Be that as it may, regard being had to the nature of allegation, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Patna in connection with Complaint Case No. 30093 (c) of 2014 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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