

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20725 of 2016

Arising Out of PS.Case No. -1031 Year- 2015 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Abodh Kumar Singh @ A.K. Singh S/o Madan Prasad Singh, M/S A.K. Singh Transport company, 1/62 Sahid Sunil Sen Sarni, Flat No.2 CLT 5916, Kolkata at present R/o Dauda Chakna, P.S.- Sariya, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Praveen Kumar @ Chunnu Singh S/O Manmad Singh, R/o- Madipur Mehra compound, P.S- Kazi Mohammadpur, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Sharda Kumasri (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 02-08-2016 Heard learned counsel for the petitioner and learned counsel for the complainant as well as learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 1031/2015 for offences punishable under Sections 323/364/406/420 and 511 of the Indian Penal Code.

Learned counsel for the petitioner submits that there was no such transaction as stated in the Complaint Petition. Rather, he was kept as an employee and, thereafter, the present case has been lodged.

Learned counsel appearing on behalf of the complainant however, submits that the petitioner being an unemployed person got introduced to the petitioner at his uncle's house in Muzaffarpur

itself and, thereafter, the petitioner assured him that he would make him partner in his business because if he invests money, the money would pay handsome returns. It was on such assurance that the petitioner also sold his land and money was transferred into the account of this petitioner. A total amount of rupees eight lakhs was being deposited by the complainant in the account of the petitioner. A vehicle was purchased by the petitioner but in his own name. Thereafter, the complainant tried to recover his money and has filed the present complainant petition.

Having heard learned counsel for the petitioner and learned counsel for the complainant as well as learned counsel for the State, it appears that the complainant has prima facie a case against the petitioner.

In view of such facts and circumstances, I am not inclined to grant anticipatory bail to this petitioner. It is accordingly rejected.

However, if the petitioner surrenders and gives a draft of Rs. 3 lacs to the complainant within a period of six weeks, it shall be open for the Court below to release the petitioner on bail on the same day for which the learned counsel for the complainant has no objection.

(Anjana Mishra, J)

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