

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21581 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -BUXAR District- BUXAR

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1. Surya Kumar Singh S/o Sri Bindeshwari Singh, resident of village-
Ariaon, PS.- Krishna Brahma, District- Buxar, President of Vdiyadaan
Institute of Technology and Management, situated at Village- Ariaon, P.S.-
Krishna Brahma, District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamala Kant Tiwary

For the Opposite Party/s : Mr. Nawal Kishore Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 25-05-2016 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner seeks pre-arrest bail in connection
with Buxar Town P.S. Case no. 24 of 2016 under sections 406
and 420 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that from the allegations made in the first information
report itself it would be abundantly clear that the dispute between
the parties is of civil nature. The informant wants to get a civil
dispute adjudicated by a criminal court which is not permissible in
the eye of law. He has further submitted that there is no allegation
that there was any inducement by the petitioner on the basis of

which the informant parted with any money.

On the other hand, learned counsel for the informant has vehemently opposed the application for grant of anticipatory bail. He has submitted that the petitioner has cheated the informant as a result of which he sustained loss of Rs.1,27,31,000/-.

Be that as it may, regard being had to the nature of allegation, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above 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 Chief Judicial Magistrate, Buxar in connection with Buxar Town P.S. Case No. 24 of 2016 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Ashwani Kumar Singh, J)

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