

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24766 of 2016

Arising Out of PS.Case No. -130 Year- 2016 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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Doman Yadav @ Doman Gope, son of Late Prayag Yadav, resident of
Village- Patuana, P.S.-Bihar, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.25960 of 2016

Arising Out of PS.Case No. -130 Year- 2016 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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Sita Ram @ Guddu @ Guddu Yadav son of Doman Yadav resident of
Village- Patuana, P.S.- Bihar, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.24766 of 2016)

For the Petitioner : Mr. Shashank Shekhar, Advocate.

For the Opposite Party : Mr. Dinesh Singh(App)

(In Cr.Misc. No.25960 of 2016)

For the Petitioner : Mr. Shashank Shekhar, Advocate.

For the Opposite Party : Ms. Meena Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-10-2016 Heard both sides.

The petitioners apprehend their arrest in Bihar P.S. Case
No. 130 of 2016 registered for the offences punishable under
Sections 406, 420, 354, 354(A) and 34 of the Indian Penal Code.

The gist of the allegation is that the informant gave Rs.

3,25,000/- through cheque and Rs. 75,000/- in cash to both the petitioners who are father and son as loan, but the petitioners did not return the money. When the informant went to demand the money the petitioners are alleged to have manhandled the informant.

Learned counsel for the petitioners submits that the petitioners are businessmen and they dealt in cement. The petitioners supplied cement to the informant in lieu thereof the informant paid the price but on account of some dispute with regard to price of the cement this case has been filed.

Learned APP however opposed the prayer for anticipatory bail of the petitioners and submits that the witnesses have stated that there was some altercation with regard to return of money.

It appears that the dispute arose due to refund of money and petitioners claimed that they supplied cement to the informant and on account of payment of price some altercation took place.

Considering the facts aforesaid, the petitioners above named, in the event of their 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 Chief Judicial Magistrate, Nalanda at Bihar Sharif in Bihar P.S. Case No. 130 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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