

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6119 of 2016

Arising Out of PS.Case No. -403 Year- 2015 Thana -SHASTRINAGAR District- PATNA

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Bimlesh Kumar @ Chintu Kumar S/o Mundrika Singh, Director, Mithila Grih Nirman Private Limited, C/o Ramanuj Singh (Building Owner), Choudhary Community Gali, Adarsh Colony, Patel Nagar, P.S.- Shastri Nagar, District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Panchanand Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

2 26-02-2016 Heard learned counsel, appearing on behalf of the petitioner, and the learned Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Shastri Nagar P.S.Case No. 403/2015, disclosing offences under sections 406, 467, 468 of the Indian penal Code.

The petitioner is said to be one of the Directors of Mithila Grih Nirman Private Limited, a construction Company, in which the informant has substantial share. Allegedly, the petitioner sold a flat bearing No. 303 of Kamla Apartment at Digha on consideration of Rs.20 lacs to Smt. Shashi Prabha Singh, without there being any resolution of the Company to this effect. It has, accordingly, been alleged that the petitioner has misappropriated money and committed fraud.

Learned counsel, appearing on behalf of the petitioner, submits that the dispute between the petitioner and the informant is purely civil in nature. He further contends that in view of nature of allegation, there is no chance of the petitioner tampering with evidence or influencing the witnesses.

I find substance in the submissions made on behalf of the petitioner. This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, be released 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, Patna in Shastri Nagar P.S.Case No. 403/2015, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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