

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51195 of 2016

Arising Out of PS.Case No. -2040 Year- 2015 Thana -COMPLAINT CASE District- JAMUI

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1. Alok Ratan, son of Sri Ghanshyam Prasad Yadav, resident of Village-
West Ajibganj, Police Station- Haveli Kharagpur in the District of
Munger.

.... Petitioner

Versus

1. The State of Bihar.
2. Amrendra Kumar, son of Sri Muneshwar Yadav, resident of Village-
Deopur, Police Station- Khaira in the district of Jamui.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 2040C of 2015 for the offences
instituted under Sections 406 and 420 of the Indian Penal Code.

It is alleged that the complainant was cheated by the
accused persons by taking seven lac from the Complainant in
connection with illness of the mother of the petitioner and on
demand the accused persons did not pay the amount to the
Complainant. Accordingly, complaint petition was filed.

It has been submitted on behalf of the petitioner that the
petitioner has falsely been implicated in the present case. There is
no allegation of tampering of witnesses alleged against the
petitioner. The petitioner happens to be the *Sarhu* of the



Complainant. Prior to institution of the present case, a case under Section 9 of the Hindu Marriage Act was filed, where the Complainant is the Opposite Party No.2. A Complaint case has been filed against the petitioner for the offence under Section 498A of the Indian Penal Code at the instance of the Complainant by the wife of the petitioner. All the criminal cases have been filed only after institution of the Matrimonial Suit by the petitioner. At best, the matter relates to matrimonial dispute.

On behalf of the State and the learned counsel for the Complainant, it has been submitted that the petitioner is named in the Complaint case. There is direct allegation of the transaction of money between the parties.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 2040C of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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