

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48187 of 2016

Arising Out of PS.Case No. -337 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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Arvind Kumar Mishra Son of Anil Kumar Mishra, resident of Village-
Mahuawa, Police Station- Shikarpur, District- West Champaran at Bettiah.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kamran Kedwai Son of Late Inam-ur-Rahman, resident of D- 201, Royal
Residency Apartment , Sector – 44, NOIODA , UP,
At present resident of Centillion Solution & Services Pvt. Ltd., 5th Floor,
Grape Garden, 31, CSRIE, 17, Main Road, 6 Block, Koraman Galla,
Bangalore.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

3 23-12-2016 Heard Sri Upadhyay Saurabh Kumar, learned counsel
for the petitioner and Sri Md. Fahimuddin , learned Additional
Public Prosecutor.



The sole petitioner, apprehending his arrest in Shikarpur P.S. Case No. 337 of 2016 registered for the offence under Section 406, 420, 409 of the Indian Penal Code has prayed for grant of bail in the event of arrest or surrender.

It was submitted by learned counsel for the petitioner that earlier petitioner was employed in a private company. However, in the year 2013 some dispute arose and thereafter, forcibly the complainant wanted to extract money from the petitioner for which , the petitioner had sent legal notice to the complainant , which was sent through registered post vide notice dated 10.3.2016 . It has been argued that only after receipt of the notice the informant/ complainant filed a complaint in the month of July 2016 , which was registered as Complaint Case No. 1196 of 2016 . Subsequently, the case was referred for registration and investigation under Section 156 (3) of the Cr.P.C. and as such, the present F.I.R. was lodged. It has been argued by learned counsel for the petitioner that in a financial dispute in between the petitioner and informant, color of criminal offence has been considered.

Learned Additional Public Prosecutor has opposed prayer for bail.

However, considering the facts and circumstances and



nature of accusation , in the event of arrest or surrender within a period of six weeks from today, let the petitioner Arvind Kumar Mishra be enlarged 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 Chief Judicial Magistrate, West Champaran at Bettiah / concerned court in connection with Shikarpur P.S. Case No. 337 of 2016 subject to the conditions as contemplated under Section 438(2) of the Code of Criminal Procedure 1973.

(Rakesh Kumar, J)

Praful/-

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