

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32278 of 2016

Arising Out of PS.Case No. -48 Year- 2016 Thana -ITADHI District- BUXAR

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Anil Singh, S/o Ram Awadh Singh, R/o Village- Banni, P.S.- Dhansoin,
District- Buxar. Petitioner/s

Versus

1. The State of Bihar
2. Surendra Pathak, S/o Late Kashi Nath Pathak, R/o Village- Siktauna,
P.S.- Itarhi, Dist- Buxar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha, Advocate

For the Informant : Mr. Ashok Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Smt. Sucheta Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 29-08-2016 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Itarhi P.S. Case No. 48 of 2016, disclosing offences under
Sections 504, 406 and 420/34 of the Indian Penal Code.

It is alleged that the informant had supplied 270
quintals of rice to the petitioner at the rate of Rs. 1028 per quintal
but did not pay the value of the rice to the tune of Rs.4,86,000/-.

Learned counsel appearing on behalf of the petitioner
claims that this is primarily a civil dispute, as is referred, in the
First Information Report.

Learned counsel appearing on behalf of the informant,
on the other hand, has opposed the prayer of anticipatory bail and

has submitted that from the very inception, the petitioner's intention was dishonest and the informant stands cheated because of the conduct of the petitioner.

Be that as it may, considering the nature of a dispute between the parties and allegations in the First Information Report, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Itarhi P.S. Case No. 48 of 2016, 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)

Vats/-

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