

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7913 of 2017

Arising Out of PS.Case No. -30 Year- 2016 Thana -KAKO District- JEHANABAD

Rajbir Singh @ Rajveer Singh S/o Abhay Kumar Sharma R/o Vill. -
Hajipur, P.S. : - Kako, Distt : - Jehanabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 23-02-2017

Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Kako P.S. Case No. 30 of 2016 instituted for the offence under Section (s) 420, 406, 34 of the Indian Penal Code.

It has been submitted that after entering into the agreement, both the petitioner and the informant started hotel business which ultimately could not succeed. The petitioner has already paid Rs. 1,10,000/- to the informant after closure of the hotel.

It is alleged in the written report that as per agreement, Rs. 4,50,000/- was to be invested by the informant in the aforesaid hotel and the aforesaid money was to be returned by the petitioner in nine equal installments.



It is mentioned in the written report itself that informant learnt that hotel has been closed and petitioner did not return the money.

It has further been submitted that there is no any document to support that Rs. 4,50,000/- was invested by the informant in the hotel business and the aforesaid money was to be returned by the petitioner in nine equal installments.

Be that as it may, from the nature of allegation, this Court finds that informant has civil remedy available for redressal of his grievances.

In the facts and circumstances of the case, the prayer of the petitioner for anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, above named, within six weeks from today in connection with Kako P.S. Case No. 30 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Jehanabad, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sanjay Priya, J)

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