

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9214 of 2017

Arising Out of PS.Case No. -376 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Amit Kumar @ Amit Kumar Singh, son of Satyendra Singh, resident of
Village- Adalbari, Budha Colony, P.S.- Hajipur (Nagar), District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-04-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The petitioner seeks anticipatory bail in a case
instituted for the offence under Sections-341, 342, 323, 308, 406,
420, 379, 504/34 of the Indian Penal Code.

It is alleged that the informant gave Rs. 50,000,00/-
(fifty lacs) to the petitioner in two equal installments for
investment in business wherein the informant was also supposed
to be a partner and he executed two promissory notes of Rs.
25,000,000/- (twenty five lacs) each against the said amount. It is
further alleged that when the informant demanded the money from
the petitioner, the same was not returned to him. The informant
went to the residence of petitioner and demanded the money but



he was misbehaved and, was also assaulted.

It has been submitted on behalf of the petitioner that a partnership business was opened by the informant and the petitioner, for which, he has annexed a certificate of incorporation as Annexure-2 to this petition, which shows that maximum limit of the business was Rs. 5,00,000/- (five lacs). It has further been submitted on behalf of the petitioner that there is no mention or any document to show the mode, through which, Rs. 50,000,00/- (fifty lacs) was paid by the informant. From the written report, it appears that mere a vague allegation has been levelled that the informant gave Rs. 50,000,00/- to the petitioner and the petitioner did not return the same. Moreover, for the allegation so made by the informant, civil remedy is available to recover the amount in question from the petitioner.

Considering the above-said facts and circumstances of the case as well as submission of the parties, this anticipatory bail petition is allowed and it is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Hajipur Town Case No. 376 of 2016 to the



satisfaction of learned Chief Judicial Magistrate, Vaishali subject
to conditions as laid down u/S 438(2) of the Cr.P.C.

(Sanjay Priya, J)

A.K.V./-

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