

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21787 of 2017

Arising Out of PS.Case No. -788 Year- 2016 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Kapildeo Roy alias Pintu Roy, son of Moti Prasad Roy, Resident of
Mohalla – Sikandarpur, P.S. Mojahidpur, District Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Samrendra Nischal son of Maheshwari Prasad resident of Mohalla -
UCO Bank Compound Zero Mile, P.S. Zero Mile, district Bhagalpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Ghosarvey

For the Opposite Party/s : Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 01-07-2017 Heard Sri Sanjay Kumar Ghosarvey, learned counsel

for the petitioner and Sri Mithilesh Kumar Khare, learned

Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in
Complaint Case No. 788 of 2016 in which the learned Magistrate
has taken cognizance of offence under Section 420 and 120B of
the Indian Penal Code , has prayed for grant of bail in the event of
arrest or surrender.

By way of referring to the complaint petition i.e.
Annexure '1' to the petition , learned counsel for the petitioner
submits that petitioner was an Accountant in D'PRO Foundation
Private Limited Co. with whom the complainant has entered into
an agreement . The complainant has alleged that he gave advance



for purchasing a land , but the said land was having no access and even the land was not transferred to the complainant. He submits that in any event petitioner being an Accountant was not directly involved in the agreement with the complainant as well as the Director of the Company. He further submits that it was a civil dispute but colour of criminal offence has been given.

Considering the nature of accusation as well as the fact that petitioner was only an Accountant in the Company , there is no reason to deny the prayer for anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner Kapildeo Roy alias Pintu Roy 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 learned Additional Chief Judicial Magistrate XIII, Bhagalpur / concerned court in connection with Complaint Case No. 788 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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