

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.110 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -VISHNUPAD District- GAYA

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1. Sonu Kumar, Son of Shiv Ratan Ram
2. Shiv Ratan Ram, S/o late Ghan Shyam Ram
Both Resident of Mohalla- Karsilli, P.S. - Vishnupad, District- Gaya.
..... Petitioners

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad(APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Vishnupad P.S. Case No. 103 of 2016 instituted for the offence under Sections 406, 420 and 506/34 of Indian Penal Code.

It is alleged in the written report that petitioner no.1 on the pretext of giving service to the informant took Rs. 3,87,000/- on different dates from 05.07.2015 to 28.07.2015. The informant did not get service, then he demanded his money back but accused persons did not return the money. Thereafter, the informant filed written report in the police station on 11.12.2015. Thereafter, petitioner no.1 with his father (petitioner no.2) made agreement on a stamp paper of Rs.1,000/- for returning amount of Rs.2,80,000/- within six months but in the meantime, accused



persons have not returned the money. It is further alleged that accused persons threatened to kill when the informant make demand of his money.

It has been submitted on behalf of the petitioners that agreement paper dated 11.12.2015 has been got prepared under threat in the police station for which the petitioner no.2 has filed complaint case vide Complaint Case No. 471 of 2016 (Annexure-2). The petitioner no.2 has filed the complaint case in the court of learned CJM, Gaya for such forceful and forged signature getting by the informant marked as Annexure-3.

Be that as it may, from the nature of allegation the court finds that this case is totally of civil dispute. In the circumstances, prayer of the petitioner for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Vishnupad P.S. Case No. 103 of 2016, they 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 Chief Judicial Magistrate, Gaya subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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