

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50926 of 2016

Arising Out of PS.Case No. -428 Year- 2007 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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Sanjay Kumar, S/o Sri Ramroop Ram, Resident of Gajipur (Okari),
P.O.+P.S.- Bandhuganj, District- Nalanda.

.... Petitioner

Versus

1. The State of Bihar
2. Md. Shahnawaz (Proprietor) M/s S.M. Enterprises, S/o Late Md. Yasin,
R/o P.G. Road, Jehanabad, P.S.+District- Jehanabad.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate

For the Opposite Parties : Mr. Sunil Kumar Pandey(APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 18-01-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Complaint
Case No. 428 of 2007 instituted for the offences under Sections
406, 420 and 504 of the Indian Penal Code.

The complainant has alleged that petitioner had
purchased CRC Sheet, Iron rod etc. from his shop worth
Rs.33,944/-. The petitioner returned an amount of Rs.8000/- on
various dates as mentioned in the complaint petition. The amount
of Rs.25,944/- was due for payment. The complainant made
request but petitioner did not return the due amount. It is
submitted on behalf of the petitioner that occurrence as alleged in



complaint petition occurred on 24.04.2004 and the complaint has been filed in the year 2007, after delay of three years. Moreover, from the nature of allegation made in complaint, it appears that the civil remedy is available to the complainant. 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 Complaint Case No. 428 of 2007, 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 Chief Judicial Magistrate, Jehanabad, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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