

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10099 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -CHAKMEHSI District- SAMASTIPUR

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Birendra Rai @ Birendra Kumar Rai, S/o Munilal Rai, R/o Village-
Ghogharaha, (Uttarasadhi) Ward No. 4 (but in F.I.R. only Ghogharaha has
mention), P.S.- Chakmehsi, Distt.- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate.
For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 2 10-03-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Chakmehsi
P.S. Case No. 105 of 2016 instituted for the offence under
Sections 406 and 420 of the Indian Penal Code.
- It is alleged that one truck stone chips was delivered
to the petitioner by the informant amounting to Rs.66,000. The
petitioner paid Rs.38,000/- only and he did not pay the remaining
dues amount. Thereafter, the informant had brought the
motorcycle and four cane milk of the petitioner to the police
station for recovery of the remaining dues.
- In this manner from the written report itself it appears
that the informant has himself taken the action as mentioned in the
written report by bringing the motorcycle to the police station.



As per written report this Court finds that there is no substantive proof that Rs.28,000/- was due with the informant.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Chakmehsi P.S. Case No. 105 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, Samastipur, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

(Sanjay Priya, J)

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