

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43667 of 2017

Arising Out of Case No. -469 Year- 2014 ROHTAS COMPLAINT CASE District- SASARAM
(ROHTAS)

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1. Kedar Seth, Son of Late Rameshwar Seth.
2. Akhilesh Seth Son of Kedar Seth.
3. Amit Seth, son of Kedar Seth. All resident of Village Nokha P.S. Nokha
District Rohtas at Sasaram. Petitioner/s

Versus

1. The State of Bihar.
2. Sudama Prasad, Son of Late Nanhaku Kasera, resident of Village Nokha
P.S. Nokha District Rohtas at Sasaram. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 20-09-2017 Heard both sides.

The petitioners apprehend their arrest in Complaint case No. 469 of 2014 under Section 420, 406, 323/34 of the Indian Penal Code.

The complainant alleged that petitioners and Bhola Seth purchased ornaments worth Rs. 1, 71, 358/- from his shop but paid only Rs. 50,990/-. Bhola Seth is said to have executed a deed of acknowledgement stating therein that he would return Rs. 1,20,368/- after some time.

The learned counsel for the petitioners submits that petitioners never took any ornament from the shop of the complainant on credit. Bhola Seth has executed deed of acknowledgement. Of course, the petitioners belong to the family



of Bhola Seth but the complainant himself has stated that he and petitioners are on visiting terms and they have got good relation.

On the other hand, the learned counsel for the Complainant and the learned Additional Public Prosecutor vehemently opposed the prayer for anticipatory bail.

Considering the facts aforesaid and the fact that there is no material on record to show that petitioners have taken any ornament from the shop of complainant, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on 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-I, Rohtas at Sasaram in connection with Complaint case No. 469 of 2014, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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