

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48253 of 2017

Arising Out of PS.Case No. -3776 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Sri Tansi Wangdi @ Tashi Wangdi son of Mr. Penjore Technical Advisor Lhaki Steels & Rolling Pvt. Ltd. 1st Floor, Royal Insurance Corporation of Bhutan, Post Box No. 252, P.S. Division III Royal Bhutan Police, District - Phuentsholing Bhutan.

2. Mr. Md. Idrish alias Md. Idrish Son of Lal Mohammad Executive Pvt. Secretary Lhaki Steels & Rolling Pvt. Ltd. 1st Floor, Royal Insurance Corporation of Bhutan, Post Box No. 252, P.S. Division III Royal Bhutan Police, District - Phuentsholing Bhutan.

3. Afzal A. Nadeem alias Md. Nadim Son of Late A. Ahmad General Manager (Sales & Marketing) Lhaki Steels & Rolling Pvt. Ltd. 1st Floor, Royal Insurance Corporation of Bhutan, Post Box No. 252, P.S. Division III Royal Bhutan Police, District - Phuentsholing Bhutan.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Ajay Kumar Singh son of Subhash Singh Proprietor of Tirupati Traders, resident of Mohalla Ramdhanipur (Kanaui Tola), Khemnichak, P.S. - Ram Krishna Nagar, District Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Mustaque Alam, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 30-10-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Complaint Case No. 3776(C) of 2016, disclosing offences
under Sections 420, 406, 323, 506 read with Section 120B and
34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted



that the petitioners, who are of clean antecedent, are innocent and have not committed any offence. In fact, the petitioners happen to be employee of the Company namely Bhutan Rolling Mills Unit and complainant happens to be distributor of the company. As a matter of fact, Rs. 5,01,18,830/- is outstanding with the complainant and the complainant is not ready to pay the same and in this regard the Chairman of the company has also made representation to the Hon'ble Chief Minister, Bihar for redressal of grievance, which is evident from annexure-3 (series). Moreover, petitioner no.1 being Technical Advisor of the Company, has also lodged a complaint before SHO, Gardanibagh Police Station for realization of outstanding dues of the company from the complainant thereafter the complainant undertook to pay the dues of the company within four months and fifteen days, which is evident form annexure4 and 5 but the complainant has not paid the outstanding dues of the company and has falsely filed the instant complaint case implicating these petitioners. No case under Section 420 and 406 of the Indian Penal Code is made out against these petitioners. Hence, the petitioners also deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or



surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Judge-XIII-cum- A.C.J.M., Patna, in connection with Complaint Case No. 3776 (C) of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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