

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43185 of 2017

Arising Out of PS. Case No.-2219 Year-2013 Thana- COMPLAINT CASE District- Banka

1. Mahesh Yadav
2. Prem Yadav @ Prem
3. Surendra Yadav @ Sundar Yadav All sons of Late Dalo Yadav resident of Village Likhni Kojhi, Police Station Banka, District Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Anirudh Prasad Choduhary son of Bhuvneshwar Choudhary Resident of Mohalla - Malik Tola, P.O. & P.S. - Banka, District - Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Singh

For the Opposite Party/s : Mr. SRI JAGDHAR PRASAD

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 21-09-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Budha Complaint Case N0. 2219 of 2013, disclosing offences under Sections 420,149 of the Indian Penal Code.

The allegation is that the petitioners had taken from the complainant some amount of bricks on credit and they refused to pay the money to the tune of Rs. 67,500/-.

Learned counsel for the petitioners has submitted that it is purely civil dispute between the parties, which is being given colour of the criminal case. I find substance in the submission advanced on behalf of the petitioners.



Considering the above, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, 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 the learned Additional Chief Judicial Magistrate-II, Banka in Complaint Case No. 2219 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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