

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29668 of 2017

Arising Out of PS.Case No. -7 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Anant Kumar Sinha Son of late Ramesh Kumar Sinha, Resident of Mohalla-Gandhi Nagar Andha More Gali No. 7. Nagmari Bhawan (Near-Rimjhim Hotel). P.S. Dehari (Nagar) Dist.-Rohtas

.... Petitioner/s

Versus

1. The State of Bihar
2. Vinod Kumar S/o Aditya Prasad Chaudhary, Resident of Mohalla-Pali Road, Dehri, P.S. Dehari (Nagar), Dist-Rohtas, A/p resident of Officer Punjab National Bank, Branch Kudra, Dist-Kaimur, (Bhabhua).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gauri Shankar Prasad, Advocate
For the Opposite Party/s : Mr. Sri Ramchandra Sahani, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 11-09-2017 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. 07 of 2014, disclosing offences under Sections 406 and 420 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the parties happen to be business partner and in the light of business promotion, complainant gave Rs. 7 lacs to the petitioner. The petitioner has never assaulted nor abused the complainant in any manner.



Hence, the petitioner deserves the privilege of anticipatory bail.

Learned A.P.P. for the State as well the informant has opposed the prayer for bail and submitted that the petitioner has admitted that he has taken Rs. 7 lacs as loan from the complainant and he refused to pay the entire amount. Cognizance under Section 406 and 420 of the Indian Penal Code has also been taken against the petitioner. Moreover, the petitioner has been declared absconder in this case, which is evident from annexure-G to the counter affidavit filed by the O.P.No.2. Therefore, this criminal miscellaneous application is not maintainable.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of this petitioner is, rejected.

(Arvind Srivastava, J)

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