

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52412 of 2017

Arising Out of PS.Case No. -813 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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Abhimanyu Kumar, s/o Sri Gopal Prasad, r/o Pethan Toli Nasriganj, P.S.-
Danapur, Patna.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Complaint Case
No. 813-C/2015 instituted for the offence under Section 420 of the
Indian Penal Code.

Learned counsel for the petitioner has submitted that it
is a matter of purely civil dispute. There is allegation that total Rs. 15
lacs have been given by the complainant to the petitioner in cash. It
is alleged that thereafter one agreement was prepared and the
petitioner assured to return the money, but he did not return the
money.

It is submitted that the complainant should avail civil
remedy in this case.

Considering the facts and circumstances of the case,



the 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 Complaint Case No. 813-C/2015, 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 the learned Judicial Magistrate 1st Class, Danapur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J.)

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