

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48110 of 2017

Arising Out of PS. Case No.-72 Year-2017 Thana- NAWADA MUFFASIL District- Nawada

1. Gautam Kumar Singh son of Late Bhushan Singh resident of village - Samai, P.S. - Muffasil, District - Nawada.
2. Anuj Kumar Singh @ Anuj Kumar Son of Late Rajendra Singh resident of village - Gurmha, P.S. - Muffasil, District Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. SRI ANAND KISHORE CHOUDHARY

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 05-01-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Muffasil (Nawada) P.S. Case N0. 72 of 2017, disclosing offences under Sections 406,341,323,328/34 of the Indian Penal Code.

The Informant is the proprietor of Shree Automobiles show-room dealing with e-Rickshaws. Allegedly, he had supplied to the petitioners 23 Auto Rickshaws against which the petitioners had paid certain amount. However, certain amount, according to the case of the prosecution, remained pending with the petitioners, which they failed to pay. It is alleged that at one point of time, the petitioners called the informant on the pretext of payment of the said due amount and when the informant went



to them, they assaulted the informant and allegedly petitioner No.2 forcibly put poison in the mouth of the informant.

Learned counsel appearing on behalf of the petitioners has submitted that the entire amount which the petitioners were required to pay against the supplies made of the Auto Rickshaws have been paid except a sum of Rs. 16,000/-, which the petitioners are ready to pay any time.

Learned counsel for the Informant, however, disputes the amount and says that more amount than what the petitioners are saying is required to be paid to the informant. He has also submitted that the medical report supports the prosecution version that poison was put in the mouth of the informant.

It is apparent from the allegation made in the First Information Report that dispute between the petitioners and the informant primarily relates to accounting between them.

Considering the nature of dispute giving rise to registration of the First Information Report, this application is allowed.

Let the petitioner above named in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in



Muffasil (Nawada) P.S. Case No. 72 of 2017, 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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