

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37929 of 2018

Arising Out of PS.Case No. -1420 Year- 2017 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

- =====
1. Arun Kumar, S/o Chandradeo Prasad, R/o Vill.- Kendua, P.S.- Hisua,
District- Nawada.
 2. Devendra Prasad S/o Ruplal Prasad, R/o Vill.- Khaira, P.S.- Akbarpur,
District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bijay Yadav S/o Lakhon Yadav, R/o Vill.- Sadikpur, P.S.- Kadirganj,
District- Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 05-07-2018

Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners are apprehending their arrest
in a complaint case wherein process has been directed to be
issued after cognizance being taken for the offences punishable
under Sections 323 and 406 of the Indian Penal Code.

The prosecution case as per the complaint
petition is that the two petitioners, one Vinay Yadav and the



complainant started business of brick kiln in partnership, in 2011 but the business could not run properly due to some dispute, hence, they decided to dissolve the partnership. It was agreed between them that Vinay Yadav and the two petitioners, would handover Rs.57,000/- each to the complainant and accordingly, Vinay Yadav handed over Rs.57,000/- to the complainant, as per the agreement. But the two petitioners did not return the amount.

It is submitted by learned counsel for the petitioner that the due amount was returned to the complainant and maliciously the petitioners have been maliciously roped in the present case.

Learned APP, however, submits that the petitioners are named in the complaint petition with specific accusation.

Considering the fact that the accusation arising out of contractual nature of dispute and statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned



Additional Chief Judicial Magistrate-IV, Nawada in connection with Complaint Case No. 1420 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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