

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.544 of 2018

Arising Out of PS.Case No. -2428 Year- 2015 Thana -BEGUSARAI COMPLAINT CASE District-
BEGUSARAI

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1. Ramesh Chandra Sharma S/o Shiv Saran Sharma,
2. Panchi Sharma @ Puchi Kumar Sharma @ Swastic Kumar Sharma S/o
Ramesh Chandra Sharma,
Both resident of Station Road, Buxar, P.S.- Buxar, District-Buxar,
presently resident of Bhagwati Greens Mills Private Ltd. , P.S.- Teghra,
District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arun Kumar Kaloiya S/o Sri Murlidhar Kaloiya in front of Sri Salasar
Trading Company Satsang Bhawan, Teghra Bazar, P.S.- Teghra, District-
Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Advocate
For the State : Mr. Kalyan Shankar, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioners and learned
counsel for the complainant who suo motu appeared in the matter.

The petitioners seek pre-arrest bail in connection with
Complaint Case No.2428(C) of 2015 registered under Sections
420, 406, 504 and 323 read with Section 34 of the Indian Penal
Code.

It is submitted by the learned counsel for the petitioner
that even if the entire allegations made in the complaint are taken
to be true, none of the ingredients of the offence alleged would be



attracted. He submitted that a pure civil dispute regarding money claim has been given a colour of criminal case by instituting a false and frivolous complaint.

On the other hand, learned counsel for the complainant submitted that though the complainant had long standing business relationship with the petitioner, the petitioner illegally retained more than rupees seven lacs of the complainant.

In view of nature of allegation and the submissions made by on behalf of the parties, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to 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 learned Additional Chief Judicial Magistrate-IV, Begusarai in connection with Complaint Case No.2428(C) of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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