

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47158 of 2018

Arising Out of PS.Case No. -78 Year- 2018 Thana -RAMKRISHNANAGAR District- PATNA

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1. Shambhu Kumar S/o Yogendra Prasad, R/o Vill.- Vamuna Vihar
Shekhpura, P.S.- Parsa Bazar, Distt.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Ram Krishna Nagar P.S.Case No.78 of 2018 registered for offences punishable under Sections 406/509 of the Indian Penal Code.

Allegation against the petitioner is that he was engaged as an employee in the shop of Granite/Sangmarmar opened by the informant by investing Rs.14 lac. The petitioner was appointed as an employee of the shop on monthly payment of Rs.15,000/- and the informant deposited Rs.45,000/- in the bank account of the petitioner and further allegation is that the informant kept granite/sangmarmar of Rs.11.25,000/- in the shop but after two months, the petitioner sold the aforesaid articles and closed the



shop.

Submission of the learned counsel for the petitioner is that he is not an employee of the shop rather he is a business partner of the informant and as the rent was due, he sold the articles and closed the shop.

Heard learned A.P.P. also, who has opposed the prayer for bail stating that the plea taken by the informant that the rent was due is false and concocted as in the month of August, the goods were brought in the shop and after two months, he closed the shop..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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