

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71376 of 2018

Arising Out of PS. Case No.-105 Year-2018 Thana- CHANPATIA District- West Champaran

Vijay Kumar S/o Prahlad Prasad R/o Village-Chanpatiya, Ward No.5, P.S.
Chanpatiya, Distt.-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Sri Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 18-12-2018 Heard learned counsels for the petitioner and the
State.

Petitioner apprehends arrest in connection with
Chanpatiya P.S. Case No. 105 of 2018 registered for the offence
punishable under section 409 of the Indian Penal Code.

Learned counsel appearing for the petitioner
submits that petitioner has not committed any offence as alleged
in the first information report. From the allegations levelled in
the first information report, it appears that there is no criminal
breach of trust and at best there can be a case of civil nature.
The present criminal prosecution is unwarranted. Petitioner is a
man of clean antecedent.

Considering the facts and circumstances of the case
and the submissions advanced on behalf of the parties, let the



petitioner, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, V, Bettiah, West Champaran, in connection with Chanpatiya P.S. Case No. 105 of 2018 subject to the conditions laid down under section 438(2) Cr.P.C.

(Arvind Srivastava, J)

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