

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39357 of 2018

Arising Out of PS. Case No.-40 Year-2017 Thana- SHRIKRISHNAPURI District- Patna

Ayush Khedariya, Son of Hanuman Khedariya Resident of Village- Sri Ram
Palace Lane, Raurkela, at Civil Town , P.S.- Sundargarh, District- Raurkela,
State- Orissa. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Thakur
For the Opposite Party/s : Mr. Sri Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 11-12-2018 Heard learned counsel for the parties.

Petitioner is apprehending arrest in connection with
Sri Krishnapuri P.S. Case No. 40 of 2017 for the offence under
sections 467, 468, 471 and 420 of the Indian Penal Code.

Mr. Ajay Thakur, learned counsel appearing on behalf
of the petitioner would submit that primarily the dispute relates
to settling of the account in connection with some agreement
and as such for settlement of the account and for such money
claim, the present case is a pressure tactics and as such the
petitioner deserves anticipatory bail. He submits that petitioner
has got no criminal antecedent.

Mr. Vinay Mistry, learned counsel appearing on behalf
of the informant submits that huge amount is involved in the
transactions and only because of the fact that petitioner has
betrayed the informant, the present application has been filed.
However, he admits that the allegation against the petitioner
does not dis-entitle for grant of anticipatory bail.



For the ends of justice, the Court may impose condition so that informant may not suffer adversely.

Considering the totality of the facts situation particularly the money claim based on understanding between the parties and the fact that the issue of accounting is involved, the Court is inclined to grant bail to the petitioner. The grant of bail to the petitioner will not cause any prejudice to the informant in realizing the amount arising out of the implementation or breach of agreement between the parties.

In view of the above, let the petitioner, named above, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Praveen Kumar Singh, learned Additional Chief Judicial Magistrate-Patna cum Special Judge, CBI-1 in connection with Krishnapuri P.S. Case No. 40 of 2017 subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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