

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15481 of 2018

Arising Out of PS. Case No.-957 Year-2015 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Deolok Kumar Gupta S/o of Late Sukhu Sao, R/o Village- Kalyanpur
Sonbhadra, P.S.- Karpi , District- Arwal at present Mohalla Ram Nagar
Jehanabad Town P.S. and District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sailendra Kumar S/o Late Yatindra Kumar , R/o Village- Kaswa, P.S.-
Parsbigha Distt.- Jehanabad at present Mohalla- Satsang Nagar Road No. 1,
Rajabazar, P.S. and Distt.- Jehanabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar
For the Opposite Party/s : Mr. Sri Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in complaint case no.
957/15 instituted for the offence under Section(s) 420 of the
Indian Penal Code.

In the complaint petition, it is alleged that accused
persons has taken total amount of Rs. 5,18,000/- on several
dates as a debt as mentioned in the complaint petition from the
complainant but on repeated demand he did not return the



amount. It is also alleged that one agreement paper was prepared by accused no.1 on 4.1.14. The complainant has sent legal notice but money was not returned.

Learned counsel for the petitioner has submitted that there is no document to support the allegation against this petitioner. It is further submitted that civil remedy is available to the complainant.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with complaint case no. 957/15, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Jehanabad, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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