

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56027 of 2018

Arising Out of PS. Case No.-474 Year-2018 Thana- BHABHUA

District- Bhabhua (Kaimur)

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Rajesh Kumar Jaiswal S/o Ram Naresh Shah, R/o Vill.- Bhabua,
Ward No. 11, P.S.- Bhabua, District- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 10-12-2018 The petitioner seeks bail in anticipation of his

arrest in connection with Bhabua P.S. Case No. 474 of 2018

dated 26.06.2018 instituted for the offences under Sections

341, 323, 504, 406, 379/34 of the Indian Penal Code.

The petitioner is alleged to have snatched rupees

thirty thousands from the informant on gun point and also

assaulted him.

The learned counsel for the petitioner has

submitted that from the reading of the F.I.R only, one can

easily discern that the dispute is with respect to business

dealings and the claim and counter claim of the petitioner as



well as the informant of money being due to them respectively. The F.I.R also reflects past business dealings between the petitioner as well as the informant.

From the perusal of the order impugned, it appears that the prayer for anticipatory bail of the petitioner was rejected because of his facing trial in two cases. The reference of such cases have been made in the present petition also in paragraph No. 3 thereof.

The learned counsel for the petitioner has submitted that those cases are of the year 2012 and that also for minor offences for which he is facing trial. In the aforesaid two cases, he is on bail. After his prosecution in the two earlier cases, the petitioner has mended his ways and has been earning his livelihood by running a shop.

Considering the fact that there is a business dispute between the parties and two other cases about which reference has been made in the present petition as well as in the order impugned, the petitioner is on bail, the petitioner, above named, in the event of his arrest or surrender within a period of four weeks from today before the learned Court



below, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabua, Kaimur in connection with Bhabua P.S. Case No. 474 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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