

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.76135 of 2018

Arising Out of PS. Case No.-343 Year-2017 Thana- RANIGANJ District- Araria

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1. Chandan Kumar, aged about 36 years,
 2. Kundan Kumar, aged about 33 years,
Both Sons of Shri Ashok Kumar Sah, Resident of Village- Yaduvapatti, P.S. Kumarkhand, District Madhepura, presently residing at Kalavati Nagar near Modern English School, Meriganj, Raniganj, P.S. Raniganj, District Araria.
- Petitioner/s

Versus

1. The State of Bihar.
2. Satendra Kumar Gupta, aged about 63 years, Son of Dev Narayan Sah, Resident of Village- Yaduvapatti, P.S. Kumarkhand, District Madhepura, presently residing at 402, Pine Villa Apartment, Dr. V. Bhattacharya Road No. 15, Patel Nagar, Patna- 23.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s N.K.Agrawal, Sr. Advocate and
Sanjay Kumar Sharma, Advocate
For the Opposite Party/s : Sri Shailendra Kumar -1

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Raniganj P.S. Case No. 343/2017 registered for the offences
punishable under Sections 406 and 420 of the Indian Penal
Code.

The first information report goes to show that the
informant gave near about Rupees Eleven lacs to the petitioners
on different dates in loan but, subsequently, the petitioners
refused to return the aforesaid amount.

Even if the prosecution story assumed to be true, then
also the aforesaid fact constitutes a civil dispute and the



petitioners cannot be fastened with any criminality.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall 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 learned Chief Judicial Magistrate, Araria, in Raniganj P.S. Case No. 343/2017 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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