

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13942 of 2018

Arising Out of PS.Case No. -399 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Arvind Kumar Shahee, Son of Yadunandan Sharma, Resident of DC- 23,
P.C. Colony, PS- Kankarbagh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ravi Kant Dubey, Son of Dr. Hans Lochan Dubey, Resident of B- 807,
Lotus Apartment, New Patliputra Colony, P.S.- Patliputra, District- Patna.

.... Opposite Party/s

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with

Criminal Miscellaneous No.13943 of 2018

Arising Out of PS.Case No. -400 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Abhishek Sinha, Son of Deepak Kumar Sinha, Resident of M - 15, S.K.
Nagar, P.S.- Buddha Colony, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ravi Kant Dubey, Son of Dr. Hans Lochan Dubey, Resident of B- 807,
Lotus Apartment, New Patliputra Colony, P.S.- Patliputra, District- Patna.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.13942 of 2018)

For the Petitioner/s : Mr. Ashhar Mustafa, Adv.
Mr. Vikash Jha, Adv.

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey
(In Cr.Misc. No.13943 of 2018)

For the Petitioner/s : Mr. Ashhar Mustafa
For the Opposite Party/s : Mr. Sri Navin Kumar Pandey, APP
For Opposite party No.2 : Mr. Amit Shrivastava, Adv.
Mr. Girish Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 05-04-2018 Heard learned counsel for the petitioners, counsel appearing
on behalf of the State as well as complainant.



The petitioners apprehend their arrest in in connection with Tr. No.3252 of 2016 arising out of Complaint Case No.399(c) of 2016 and Tr. No.3251 of 2016 arising out of Complaint Case No.400(c) of 2016 respectively, registered under Section 406 of the Indian Penal Code and 138 of Negotiable Instrument Act.

The learned counsel for the petitioners submits that parties have entered into compromise. This factual position has been admitted by learned counsel for the complainant also.

In view of the above and considering the nature of dispute which is commercial in nature and when the parties have entered into compromise, the Court see no reason to refuse anticipatory bail. Let the petitioners in both the cases, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt / production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Patna in connection with Tr. No.3252 of 2016 arising out of Complaint Case No.399(c) of 2016 and Tr. No.3251 of 2016 arising out of Complaint Case No.400(c) of 2016 respectively subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



However, the privilege of anticipatory bail is granted to the petitioner on the basis of a compromise entered into between the parties, the parties is expected to abide by terms and conditions of the compromise.

(Anil Kumar Upadhyay, J)

Sanjeev/-

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