

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9003 of 2018

Arising Out of PS.Case No. -469 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Bhola Seth @ Bhela Seth, S/o Kedar Seth @ Kedar Pradad, R/o Vill.-
Nokha, P.S.- Nokha, District- Rohtas (Sasaram).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sudama Prasad, S/o Nanhku Kasera, R/o Village- Nokha, P.S.- Nokha,
District- Rohtas (Sasaram).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate.

For the Opposite Party/s : Mr. Ram Priya Saran Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Complaint Case No. 469 of 2014** instituted for the offence under Sections 420, 406, 323 and 504/34 of the Indian Penal Code.

It is alleged in the complaint petition that petitioner has jewellery shop in village Nokha Bazar. It is further alleged that this petitioner has purchased jewellery of Rs.1,71,358/- and gave Rs.50,990/-. He made an agreement on 18.03.2014 to return the remaining amount of Rs.1,20,368/- but he did not return the amount.

The complainant has not enclosed any agreement along with the complaint petition to support the aforesaid fact.

Learned counsel for the petitioner has submitted that petitioner has been falsely implicated in this case merely on account of



business rivalry.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Complaint Case No. 469 of 2014**, 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 **learned Chief Judicial Magistrate, Rohtas (Sasaram)**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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