

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19480 of 2018

Arising Out of PS.Case No. -57 Year- 2018 Thana -SHASTRINAGAR District- PATNA

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1. Amrendra Kumar S/o Gupteshwar Nath Rai, R/o Mohalla- Ashok Kunj,
Batukeshwar Dutt Lane, Mithanpur, P.S.- Jakkanpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 30-07-2018 The petitioner is apprehending his arrest in connection with Shashtrinagar P.S. Case No. 57/2018, registered for offences punishable under Sections 406, 419 and 420 of the Indian Penal Code.

Allegation against the petitioner is that he induced the informant to participate in his business and assured that he will give certain percentage. In the beginning, the petitioner had given the profit to the informant, but later on stopped giving the profit to the informant, for that it is alleged that despite of taking Rs.75,00,000/- is not paid profit to him.

Submission of learned counsel for the petitioner is that the allegation itself shows that a business transaction was between the parties and for dispute of business transaction, the remedy



available for the informant to file a money suit. Moreover, the petitioner has falsely been made accused in this case.

Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the bail application by stating that the petitioner has taken the said amount from the informant but he is not paying the same.

Having heard both sides, considering the facts and circumstances of the case from which it appears that this is a business dispute between the parties, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IV, Patna in connection with Shashtrinagar P.S. Case No. 57/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.



(ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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