

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24752 of 2018

Arising Out of PS.Case No. -109 Year- 2017 Thana -RAJIVNAGAR District- PATNA

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Raj Kishore Kumar @ Saw @ Rajkishore Gupta S/o Mahavir Saw @
Mahavir Prasad, R/o Awasthi Ghat, Takiya Par, P.S.- Danapur, District-
Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda
For the Opposite Party/s : Mr. Binod Kumar 3
For the Informant : Ms. Smita

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-05-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with
Rajeev Nagar P.S. Case No. 109 of 2017, registered for the
offences punishable under Sections 420 and 406/34 of the Indian
Penal Code.

Allegation as per FIR is that informant was given a
licence for the year 2015-16 for doing business of liquor and he
has paid Rs.7,75,000/- to the petitioner and when prohibition came
in the State of Bihar the liquor business was stopped and petitioner
is not ready to return the money and also there is allegation that a
cheque was issued by the petitioner which was bounced.

Submission of learned counsel for the petitioner is that he
has given an offer to the informant to do business in Jharkhand
and constructed show room to do his business and that apart he
has given Rs.4 lakhs to the informant. Further submission is that



petitioner has lodged a complaint against the informant in which he was granted anticipatory bail.

Heard learned APP and learned counsel for the informant. They have opposed the prayer for anticipatory bail on the ground that petitioner has given licence to the informant for the year 2015-16 and he has taken Rs.7,75,000/- from the informant and only Rs.4 lakhs has been returned and he is not ready to return the rest of the amount.

Having heard both sides and in the facts and circumstances, let the petitioner, above named, surrender within a period of four weeks from the receipt of this order and on his so surrendering he shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub Judge-III (A.C.J.M.), Patna, in connection with Rajeev Nagar P.S. Case No. 109 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and further condition is that one of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of court concerned.

(Vinod Kumar Sinha, J)

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