

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6397 of 2018

Arising Out of PS.Case No. -479 Year- 2017 Thana -LAHERIASARAI District- DARBHANGA

- =====
1. Mahesh Sah, S/o Late Mahabir Sah.
 2. Poonam Bharti, W/o Mahesh sah. Both are Resident of Mohalla-Ali Nagar, Sundarpur, P.S.-L.N.M.U., District-Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md. Shahnawaz Ali

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 01-02-2018

Heard learned counsel for the petitioners,

learned APP for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420, 406, 467, 468, 471 and 120B of the Indian Penal Code.

The prosecution case as per the written report of Mahesh Sah submitted on 17.11.2017 to the Station House Officer of Laheriasarai Police Station is to the effect that that the informant being the relative of the petitioners entered into an agreement to establish a cloth shop but since December, 2016 the shop was running in loss, they decided to close the shop when petitioner no. 2 Poonam Bharti assured the informant



to return Rs.2,50,000/- by 01.07.2017 along with interest, but the amount invested by the informant has not been returned.

It is submitted by learned counsel for the petitioners that the accusation is arising out of contractual agreement between the parties and after final accounting in business transaction the informant was to return Rs.1,26,000/- A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Considering the accusation arising out of contractual nature of dispute between the parties, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 479 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

