

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42317 of 2018

Arising Out of PS. Case No.-2629 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Anandi Prasad, Son of Late Moti Lal, Resident of Mohalla- Gajadhar Chak,
Gola Road, Danapur, P.O.- Danapur Cantt., P.S.-Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Kunti Kumari, W/o Kumar Agani Parna, R/o Parna Sghikh Kult,
Mohalla- Chhotipahari, Near Chura Mill, Agam Kuan, Parari Road, P.S.-
Bypass Road, Town and District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Chandra Bose, Advocate
For the Opposite Party/s : Mr. Sakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

7 17-12-2018 Heard learned counsel for the petitioner, State and the
informant.

The petitioner apprehends his arrest in connection
with Complaint Case No. 2629 (C) of 2016 for the offence
under Sections 406 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has paid Rs.6,50,000/-, which is disputed by the
counsel appearing on behalf of opposite party no.2. Learned
counsel for the opposite party no.2 submits that only
Rs.4,50,000/- has been received from the account of the
petitioner.

From the materials available on record, the Court



finds that it is a money claim and for the said money dispute the present case has been filed.

Once the opposite party no.2 has accepted that Rs.4,50,000/- has been received whereas the petitioner has claimed that Rs.6,50,000/- has been paid to the opposite party no.2 without entering into the controversy whether the petitioner has paid Rs.6,50,000/- or Rs.4,50,000/- to the opposite party no.2, the Court is inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner named above, in the event of arrest or surrender before the court below within one month from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Priya Shekhar, Judicial Magistrate-1st Class, Patna in connection with Complaint Case No. 2629 (C) of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

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