

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4266 of 2019**

Arising Out of PS. Case No.-1792 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE  
District- Samastipur

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Anil Kumar, son of Rama Kant Rai, resident of Village- Shitalpatti, P.S.  
Samastipur (Mufassil), District Samastipur

... .. Petitioner

Versus

1. The State of Bihar
2. Bipin Kumar, son of Bindeshwar Rai, resident of Village-Bejhadih, P.S.  
Samastipur (Mufassil), District Samastipur

... .. Opposite Parties

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**Appearance :**

|                      |   |                        |
|----------------------|---|------------------------|
| For the Petitioner/s | : | Mr.Kumar Praveen       |
| For O.P.No.2         | : | Mr. Jitendra Nr. Sinha |
| For the State        | : | Mr.Ajit Kumar          |

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      26-03-2019                      Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 1792 of 2016, corresponding to Trial No. 345 of 2018, lodged for the offences punishable under Sections 420 and 406 of the Indian Penal Code.

Allegation against the petitioner is that he has taken total Rs.55,000/- from the complainant for selling of a tempo. However, he has not sold the tempo nor the money has been returned to the complainant.

Submission of learned counsel for the petitioner is that the complainant is in habit of filing of such cases and earlier also a legal notice was issued to him for dues of Rs.5000/- and



now the present false and concocted case has been filed. Further submission is that petitioner has nothing to do with the Prince Auto and he is only the villager of the complainant.

Heard learned APP as well as learned counsel for the complainant, who has opposed the prayer for anticipatory bail on the ground that petitioner used to work in the Prince Auto and as such money was given to him by the complainant for purchasing of a tempo.

Having heard both sides and in the facts and circumstances, this application is allowed and the provisional bail granted to the petitioner vide order dated 28.1.2019 is, hereby confirmed in connection with Complaint Case No. 1792 of 2016, Trial No. 345 of 2018, pending in the court of A.C.J.M.-III, Samastipur.

**(Vinod Kumar Sinha, J)**

spal/-

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