

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6666 of 2019

Arising Out of PS. Case No.-1339 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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1. ANOJ KUMAR YADAV @ ANOJ KUMAR AND ANR Late Kameshwar Prasad Yadav Resident of Block -B Flat No. 304, Quality Enclave, Sounth Mandiri, Kathpur, Budha Colony, District- Panta- 800001
 2. Smt. Nil Kamal Wife of Sri Anoj Kumar @ Anoj Kumar Yadav Resident of Block 'B', Flat No. 304 Quality Enclave, Sounth Mandiri, Kathpur. p.s. Budha Colony, District- Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR AND ANR Bihar
2. Sri Manoj Kumar Bharti Son of Late Ramchandra Prasad Yadav Resident of Parikrma Quality, South Mandiri, Kathpulwa, P.S. - Budha Colony, District- Patna- 800001

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-02-2019 This application, for grant of anticipatory bail, arises out of Complaint Case No. 1339C/2018, disclosing offences under Sections 406/34 of the Indian Penal Code.

Allegation as per complaint petition is that the petitioner no. 1, who happens to be cousin of complainant and petitioner no. 2, who is the wife of petitioner no. 1, took a loan of Rs. Five lakhs from the complainant for purchase of flat and money receipt was created but when the complainant demanded his money, the petitioners refused to pay the same.

Submission of learned counsel for the petitioners is



that no money transaction has ever taken place between the parties. Moreover, the dispute is with regard to money transaction between the parties and for violation of agreement, for which, appropriate remedy available for the petitioner is to file money suit.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Patna, in connection with Complaint Case No. 1339C/2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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