

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9611 of 2019

Arising Out of PS. Case No.-337 Year-2018 Thana- KESARIA District- East Champaran

RAMBABU SAHANI Son of Suri Lal Sahani @ Sudilal Sahni Resident of
Village- Bankat, Police Station- Kesariya, District- East Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-02-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kesariya P.S. Case No. 337 of 2018 for the offence under Section 420 of the Indian Penal Code.

The allegation against the petitioner is that after having received certain amount from the informant for the purpose of construction of his house, the petitioner is not constructing his house and thereby misappropriated the amount received by him for the said purpose.

Learned counsel for the petitioner has submitted that it is purely a civil dispute between the petitioner and the informant, which is being given colour of a criminal case.

Considering the facts and circumstances, this application is allowed.



Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari in Kesariya P.S. Case No. 337 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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