

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12275 of 2019

Arising Out of PS. Case No.-467 Year-2018 Thana- BARACHATTI District- Gaya

1. Ram Janam Singh @ Bhola Singh aged about 45 years, Male, Son of Kauleshwar Singh Resident of Village - Kaarbigha, P.S.- Magadh University, Distt - Gaya.
2. Pintu Singh Son of Suresh Singh Resident of Village - Mocharim, P.S.- Bodh Gaya, Distt - Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Arun Kumar Singh, Advocate Mr. Sudama Singh, Advocate
For the State	:	Mr.Amit Kumar Rakesh, A.P.P.
For the Informant	:	Mr. Binod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 07-03-2019 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Barachatti (Mohanpur) P.S. Case No. 467/2018 registered under Sections 406, 420 of the Indian Penal Code.

Learned counsel for the petitioners submits that a bare reading of the first information report would show that the dispute is with regard to payment of certain amount which the informant is claiming on account of supply of coal in course of business. It is submitted that the petitioners and the informant had a business relationship in which they were transacting for a



long time and ultimately dispute arose with regard to payment which ultimately led to Panchayat. Allegation is that what was agreed in course of Panchayat has not been paid by the petitioners.

Learned counsel submits that the dispute being a civil dispute for recovery of money has been transformed in a criminal case.

Learned counsel for the informant and the State have opposed the prayer for anticipatory bail of the petitioners saying that the petitioners have deceived the informant and have not paid the outstanding amount which was agreed in course of Panchayati.

Considering the submissions of the parties, this court is of the view that at this stage taking note of the fact that there was a business relationship between the parties for quite sometime and the dispute relates to payment of outstanding dues which has arisen in course of business activities, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Sherghati (Gaya) in connection



with Barachatti (Mohanpur) P.S. Case No. 467/2018, subject to condition that petitioners will join investigation by reporting to the Investigating Officer within a period of two weeks from today and will cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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