

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16565 of 2019**

Arising Out of PS. Case No.-948 Year-2014 Thana- NALANDA COMPLAINT CASE
District- Nalanda

KARUNA NIDHI S/o Ravindra Prasad R/o Village- Keshopur, P.S.- Telhara,
District- Nalanda.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Sunil Kumar @ Anil Kumar S/o Late Harihar Prasad R/o Kisan Colony,
Anisabad, P.S.- Phulwarisharif, District- Patna.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Kumar Binode Bariar
For the Opposite Party/s : Mr.Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 27-09-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Complaint Case No. 948C of 2014 for the offence punishable
under Sections 406, 420, and 504 of the Indian Penal Code.

It is alleged against the petitioner in the complaint
petition that he induced the complainant to pay to him a
substantial amount of Rs.4,60,000.00 for ensuring him a job
through backdoor. Allegedly, the complainant had paid to the
petitioner the said amount. Out of the said amount a sum of
Rs.1,96,000.00 was deposited in the petitioner's account,
whereas the rest of the amount was paid to the petitioner in
cash.

The petitioner has disputed the allegation and has



contended that as a matter of fact, the complainant had taken some friendly loan and in return thereof he had deposited the said amount of Rs.1,96,000.00 and since rest of the amount, taken as loan by the complainant, was not being returned to him a false criminal case has been lodged, as the petitioner was raising demand for return of the money.

I have heard learned counsel appearing on behalf of the petitioner and learned counsel for the complainant.

It is evident from the complaint petition itself that the petitioner and the complainant were carrying on a joint business and they were closely associated.

Learned counsel appearing on behalf of the complainant has not been able to justify the conduct of the complainant in payment of a sum of Rs.4,60,000.00 for securing employment through backdoor.

Be that as it may, a case for grant of anticipatory bail is made out. This application is accordingly 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 A.C.J.M., Nalanda, Bihar Sharif, in



Complaint Case No. 948(C) of 2014, 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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