

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21722 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- BARABAR TOURIST District- Jehanabad

KRISHNA YADAV @ SRI KRISHNA YADAV Son of Sri Mosafir Yadav
Resident of Village-Japura Tola, Bhatan Bigha, Police Station-Belaganj,
District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogesh Chandra Verma, Sr. Advocate
For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-04-2019 Heard learned Sr. counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 188, 384 and 420/34
of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report of District Planning Officer, Jehanabad submitted before
the Station House Officer, Barabar Tourism Police Station is to
the effect that mountain fair was settled with the petitioner for
settlement amount of Rs.1,59,50,000/- for the year 2018-2019
and out of the total settlement amount, only Rs.75,00,000/- was
deposited and the remaining amount of Rs.84,50,000/- has not
been deposited till date. It is further alleged that a certificate



case was also lodged against the petitioner for recovery of the rest amount, but despite of that fact toll is being collected in the fair at the behest of the petitioner.

It is submitted by learned Sr. counsel for the petitioner that the petitioner has deposited Rs.75 lack in the government account, but despite of repeated request made by the petitioner, the authority concerned is not executing any agreement to that effect. It is further submitted that in the certificate proceeding, notice has already been issued to the petitioner, which is under challenge before this Court in CWJC No.942 of 2019 and there is nothing on record to suggest that the any toll has been collected either by the petitioner or his behest.

It is submitted by learned APP for the State that the thrust of accusation is against the petitioner.

Considering the fact that the accusation is arising out of a dispute with regard to settlement of a fair for which the certificate proceeding has already been initiated and which is under challenge in a writ proceeding, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12



weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Jehanabad, in connection with Barabar Prayatan (Bishunganj) P.S. Case No.01 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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