

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44276 of 2019

Arising Out of PS. Case No.-60 Year-2019 Thana- KADAMKUAN District- Patna

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AJAY NANDAN PRASAD, Son of Late Brij Nandan Prasad Resident of
Village - 1509, NH-24, M.N.P. Polo Tower, Paramount Symphony, crossing
Rupublic, Chikandarpur, Gaziabad, P.S.- Ghaziabad, dist.- Ghaziabad, U.P.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-07-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Kadamkuan P.S. Case No. 60 of 2019

registered for the offences punishable under Sections 406, 420,

504, 506 and 509/34 of the Indian Penal Code.

Prosecution case is that petitioner, informant and
others have started partnership business for running a restaurant
of which share of petitioner and informant was 40% each and
rests have 20% share. They have opened an account in ICICI
bank for transaction. It is further alleged that petitioner by
playing fraud opened another bank account in the Kotak
Mahindra Bank and he transferred Rs.9 lacs from the ICICI
bank to Kotak Mahindra Bank and when the informant objected
to the same, she was threatened and assaulted by the petitioner



and informant was not getting her share from the restaurant.

Submission of learned counsel for the petitioner is that as a matter of fact the informant declined to run the partnership business as the same was running in loss, due to that she has been paid Rs.5.5 lac, i.e., her investment and when business was running in profit she again came and started demanding money and for that she lodged the present case.

Heard learned APP and learned counsel for the informant, who has opposed the prayer for anticipatory bail on the ground that in violation of clause of deed of agreement petitioner has opened another Bank Account and transferred the amount in that bank account and when informant protested she was threatened and abused.

In view of above facts and circumstances, it appears that dispute with respect to a partnership business among the partners and accounting, let petitioner, in the event of arrest or surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Sri Om Prakash (VI), Sub-Judge-VII-cum-A.C.J.M., Patna, in connection with Kadamkuan P.S. Case No. 60 of 2019, G.R.No. 718 of 2019, subject to the conditions as laid down under Section 438(2) of



the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned and further condition is that petitioner has to co-operate in the investigation and appear before the police as and when required.

(Vinod Kumar Sinha, J)

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