

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48301 of 2019

Arising Out of PS. Case No.-331 Year-2018 Thana- DEEPNAGAR District- Nalanda

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Ravi Shankar Gautam, Son of Shasikant Kumar, Resident of Village-Arawan
Parwalpur, P.S-Ben, District-Nalanda at presently residing at Mohalla-
Shivajee Nagar, Ramchandrapur, P.S-Bihar Sharif, Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Sinha

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-08-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 341, 323,
406, 420 and 504/34 of the Indian Penal Code.

The prosecution case as per the written report of Sunil
@ Shankar Kumar submitted to the Station House Officer of
Deepnagar Police Station is to the effect that the petitioner took
decorative articles from the informant worth Rs. Three lakhs to
run his shop on agreement to share the profit. Subsequently,
petitioner closed his business without returning the article or



giving share in profit. It is also allege that the informant demanded the amount then the petitioner abused and took out Rs.31,000/- from the informant.

It is submitted by learned counsel for the petitioner that the shop was run on profit sharing but due to the accident the shop was not running properly, as a result, huge loss was caused. Moreover, while closing the shop the petitioner returned all the remaining articles. Moreover, for the occurrence of 17.06.2018, the FIR has been registered on 10.09.2018. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the informant submits that the petitioner has cheated the informant and has not returned the agreed amount.

Considering the accusation arising out of contractual nature of accusation and delayed lodging of the case, 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda in connection with Deep Nagar P.S. Case



No. 331 of 2018, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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