

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57046 of 2019

Arising Out of PS. Case No.-950 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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DINESH SHARMA Son of Late Bhikham Sharma Resident of Village-
Mudera, Police Station- Ramnagar, District- West Champaran (Bettiah)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishna Bhushan Singh Son of Late Kedar Singh Resident of Village-
Belagola, Police Station- Ramnagar, District - West Champaran (Bettiah).
At. Present Residents of Pakari, Police Station- Ramnagar, District- West
Champaran (Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-09-2019 The petitioner apprehends his arrest in connection with

Complaint Case No. 950 of 2018, Trial No. 3718 of 2019 in

which cognizance, under Section 406 of the Indian Penal Code,

has been taken by the learned Magistrate.

Allegation against the petitioner, as per complaint, is that
petitioner was working as a salesman in the medical store of the
complainant. It is alleged that a sum of Rs. 10 lacs was given to
the petitioner by the complainant as a loan for the marriage of
daughter of the petitioner and to build a house on 15.02.2018
and the petitioner had promised to return the amount but he did
not return the same despite several demands were made by the



complainant.

Learned counsel appearing on behalf of the petitioners submits that petitioner has falsely been implicated in this case with *mala fide* intention inasmuch as petitioner was working as a salesman in the medical shop of the complainant and by Annexure-2, which is complaint Case No. C-986 of 2018, the petitioner had lodged a complaint against the complainant on 05.10.2018 alleging therein that a sum of Rs. 1,08,000/- was due from the complainant to the petitioner towards salary of the petitioner which was not being paid to him by the complainant in order to misappropriate his amount. It has further been submitted that petitioner had also lodged a complaint case before the Labour Commissioner, Bettiah in which notice was issued to the complainant vide memo no. 1328 dated 11.10.2018. He further submits that in retaliation as a counter blast, the present complaint has been filed by the complainant on 25.09.2018.

After having heard learned counsel for the parties and taking into consideration the fact that there appears to be a money transaction between the parties, as such I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or



surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned SDJM, Bagaha, West Champaran in connection with Complaint Case No. 950 of 2018, Trial No. 3718 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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