

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5401 of 2020

Arising Out of PS. Case No.-131 Year-2019 Thana- DARBHANGA District- Darbhanga

Raj Kumar Purbey, aged about 37 years (Male), Son of Late Raghunath Purbey Resident of Village - Mirzapur, P.S.- Town, Distt - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Darbhanga Town P.S. Case No. 131 of 2019 registered for offences under sections 341, 323, 379, 342, 406, 506, 504/34 of the Indian Penal Code.

From the F.I.R., it appears that the son of the Informant has taken a shop on rent for the purpose of business. As per agreement, they are paying the rent at the rate of 3,000/- per month and also deposited Rs. 2,50,000/- as advance. Later on, as per Informant, apart from monthly rent of Rs. 3,000/-, he was to pay Rs. 6,000/- as an advance to the landlord which was to be paid back when the shop will be vacated to the landlord. Till date, total 7,54,000/- has been paid and also made an allegation that the petitioner has taken Rs. 5,00,000/- from the son of the Informant



and total comes to Rs. 12,54,000/-. It has further been alleged that the shop owner, the petitioner in order to get the shop vacated, unloaded one truck stone chips, thereby stopped the entry in the shop. When a request was made to remove the chips then he was abused and assaulted by the shop owner, the petitioner.

There is a commercial dispute between both the parties.

Looking to the entire facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 learned Chief Judicial Magistrate, Darbhanga in connection with Darbhanga Town P.S. Case No. 131 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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