

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85759 of 2019

Arising Out of PS. Case No.-249 Year-2009 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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1. SURESH PRASAD GUPTA, aged about 45 years, Male, son of Late Laxmi Prasad Gupta.
 2. Mahesh Prasad Gupta @ Mahesh Prasad, aged about 50 years, Male, son of Late Laxmi Prasad Gupta
Both resident of Village - Sarisha Bazar, Bettiah, P.S.-
Majhauria, Distt.- Bettiah.

... .. Petitioners

Versus

1. The State of Bihar.
2. Amit Kumar Tekariwal, aged about 55 years, Male, son of Sri Arun Kumar Tekariwal, Resident of Village - Suttapatti, P.S.- Town, Distt.- Muzaffarpur.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Jyotsna Rani Mishra, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 17-02-2020 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Muzaffarpur Town P.S. Case No. 249 of
2009, registered for the offence under Sections 406, 409 and
420 of the Indian Penal Code.

Allegation has been made that there was an
agreement between the petitioners and the informant that the
informant will give the cloths and after sale of the same, the
petitioners would make payment of the sale proceed but, the



petitioners have not paid the entire amount of sale proceed.

Learned counsel for the petitioners submits that the petitioners have paid the entire amount to the informant and in this regard the informant has also given receipt of certain amount but, subsequently it has not been confirmed by the informant.

Considering the fact that basically it is a commercial dispute relating to transaction of the business, let the petitioners, above-named, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur, in connection with Muzaffarpur Town P.S. Case No. 249 of 2009, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

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