

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25706 of 2022

Arising Out of PS. Case No.-717 Year-2021 Thana- JAHANABAD District- Jehanabad

SUNIL KUMAR Son of Satyadeo The Proprietor, One Stop Solution, Its registered office 143, Savino Habitait Centre, Patliputra Railway Road, Patna and resident of G-98, Peoples Co-operative Colony, Kankarbagh, P.O.- Lohiya Nagar, Kankarbagh- 20, P.S.- Kankarbagh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Jha, Adv

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-11-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 406, 420 and 506 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. There is a business transaction between the parties.



He further submits that the informant and petitioner entered into an agreement (Annexure-2) and the informant agreed with the term and conditions of M/S one stop solution and it was also agreed that after taking franchisee in Jehanabad M/S Durga Shankar Enterprises, the informant's firm will maintain a stock of 1.5 crores and it was also agreed that 50% stock will be provided when Rs.50 lacs will be deposited by the informant but later on the informant did not follow the terms and conditions. It is further submitted by the learned counsel for the petitioner that the present case is pure of civil dispute between the parties and it has already mentioned in the agreement that if any dispute arises, jurisdiction will be Patna, (para-24), if the informant has any grievance, he should move in suit, no criminal case is made out. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court



below where the case is pending/Successor Court in Jehanabad
P.S. Case No.717 of 2021, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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