

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33792 of 2022**

Arising Out of PS. Case No.-962 Year-2021 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Shambhu Sah @ Shambhu Kumar Sah Son Of Shri Shankar Sah R/O Village-
Gadhiya, P.S.- Pandauli, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumar Abhishek @ Sanjeev Kumar Son Of Bharat Prasad R/O Village-
Ramnagara, P.S.- Riga, District- Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under Section

406 of the Indian Penal Code.

It is alleged against the petitioner that from the

year 2019 till filing of the present complaint, the

petitioner took Rs. 7,42,600/- from the complainant and



promised to pay the same, but till date he did not return the amount.

It is submitted by learned counsel for the petitioner that in the background of a dispute with regard to business transaction between the petitioner and the complainant, this false case has been registered against the petitioner. Moreover, it is a dispute of civil in nature for which, criminal proceeding has been initiated against the petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance 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 anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Complaint Case No. 962 of



2021, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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