

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61180 of 2021**

Arising Out of Case No.-578 Year-2019 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Abhimanyu Singh Son Of Nand Bihari Kushwaha Proprietor Maa Shail
Kumari Construction Company Limited, Koeri Tola, Chousa Bazar, P.S.
Buxar (Muffasil), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

5 12-09-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

complaint case wherein cognizance has been taken under

Section 406 of the Indian Penal Code.

It is alleged by the complainant that on the

request of the petitioner, the complainant transferred

Rs. 5,00,000/- in the account of the petitioner by way of

RTGS since there was business relationship between the

complainant and the petitioner but when the complainant

demanded his money back, the petitioner denied to



return the same.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case due to business rivalry. The complainant returned the amount through RTGS to the petitioner which was earlier taken from the petitioner. The complainant petition suggests that petitioner took such amount on 09.04.2015 but the present complaint was lodged on 12.06.2019 after about four years. Moreover, for a civil nature of dispute, the petitioner has been roped in a criminal proceeding. 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, Buxar in connection with Complaint Case No. 578(C) of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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