

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1983 of 2023

Arising Out of PS. Case No.-447 Year-2020 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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NAGENDRA KUMAR YADAV Son of Shankar Lal Yadav Resident of
Village- Agarpur, P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Kaushal Kishor, Advocate
For the State	:	Mr. Anil Kumar Singh No.1, APP
For the Complainant	:	Mr. Lalit Narayan Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-07-2023 Heard learned counsel for the petitioner, learned APP

for the State as well as learned counsel appearing on behalf of

the complainant.

Petitioner apprehends his arrest in connection with

Complaint Case No.447 of 2020, registered for the offences

punishable under Section 406 of the Indian Penal Code.

The prosecution case, in brief, is that the complainant

contacted the petitioner for taking his shop on rent and a

Kirayanama was prepared on 25.07.2018. The complainant gave

Rs.2,50,000/- as security money to the petitioner. It is further

alleged that after taking the security money, the petitioner did

not give possession of the shop to the complainant.



Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that petitioner is ready to return Rs.2,50,000/- to the complainant. It is submitted that the complainant has filed Money Suit No.11/2019 in the learned court below.

Learned APP for the State as well as learned counsel for the complainant opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Complaint Case No.447 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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