

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9644 of 2023

Arising Out of PS. Case No.-408 Year-2020 Thana- BARAUNI District- Begusarai

1. HIRANYA BARMA BARIK S/o Brajabandhu Barik R/o - plot- 327/1796, Road no. 1, Back side of OMFED Plant, Chandrashekharapur, Bhubaneshwar, Mancheswar Railway Colony, Khorda, Odisa, M.D., BARMA GEOTECHNICS CONSULTANTA PVT LTD., Head Office- Plot no. 327/1796, Backside of OMFED Plant Chandravihar, Chandrashekharapur, Near East Coast Railway Head Quarters Bhubaneshwar- 751017, Orissa.
2. Binayak Pradhan @ Binayak Swayam S/o Rabindranath Pradhan R/o - Pipli, Kahnapur, P.S.- Kanhupur, Distt- Puri, Orisa, Site-in-charge, BARMA GEOTECHNICS CONSULTANT PVT LTD., Head Office- Plot No. - 327/1796, Backside of OMFED Plant Chandravihar, Chandrashekharapur, Near East Coast Railway Head Quarters, Bhubneshwar- 751017.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Jamshed Alam S/o Late Md. Nizam Uddin R/o Village- Ninga, Tola- Ekdera, P.S.- Barauni, Distt- Begusarai, Bihar, Proprietor, J.K. Soil Explorations, Barauni, Begusarai, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar
For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-04-2023 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 420, 406, 504, 506, 467 & 34 of the Indian Penal Code.

As per the allegation, petitioners are office bearers of M/s Geotechnics Consultants Pvt. Ltd. and the company of the petitioners got executed work of soil exploration from the firm of the informant and did not make full payment against the work done and thus, misappropriated Rs. 7,24,500/- from the informant.



It is submitted on behalf of petitioners that the informant has lodged this case only to put pressure on petitioner no. 1, who is M.D. of the company, and entire case is false and fabricated and has been lodged on wrong calculation. As a matter of fact, there is accounting dispute between the parties. The dispute is purely civil in nature. Petitioners have got clean antecedent.

However, learned counsel for the informant vehemently opposes the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Barauni P.S. Case No. 408 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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