

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18982 of 2023

Arising Out of PS. Case No.-1495 Year-2016 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

Ashok Kumar @ Ashok Kumar Sinha S/O Late Barmeshwar Prasad R/V-
Bampali, P.S.- Udwant Nagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Awadhesh Prasad Sinha
For the State	:	Mr. Prem Kumar Jha
For the Opposite Party/s	:	Mr. Brij Mohan Kumar Singh Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-08-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State assisted by learned counsel for opposite party no.

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2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. The allegation against the petitioner is that he took a total of Rs. 14,56,000/- from complainant, as a friendly loan, when the complainant asked to return the money he refused for the same.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner has also sent a legal notice on 28.06.2016. He further submits that the Complaint case was dismissed by the learned Court below stating



therein that it is of civil nature, but against the order of dismissal, the complainant filed Criminal Revision No. 100 of 2017 before the learned Sessions Judge, Bhojpur, Ara, in which the order of the learned Court below is set aside and, thereafter, cognizance was taken against the petitioner by the learned Court below. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the opposite party no.2 opposed prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, arguments of the parties and the fact that there is business/money dispute between the parties, 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 connection with Complaint Case No. 1495 (C) of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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