

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14766 of 2023

Arising Out of PS. Case No.-224 Year-2022 Thana- SHEOHAR District- Sheohar

=====

MADHUP KUMAR SINGH @ MUNMUN SINGH Son of Shambhunath
Singh @ Shambhu Singh R/V- Adauri, P.S- Purnahia, Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-05-2023 Heard the learned counsel for the petitioner and

the learned A.P.P. for the State.

This is an application for grant of anticipatory
bail in connection with Sheohar PS case no. 224 of 2022,
registered for the offences punishable under Sections 406, 420
of the Indian Penal Code.

The case of the informant in brief is that in the
year 2007, a team of contractors was formed by the petitioner
for executing Government contracts and the informant is stated
to be one of the contractors, working for the petitioner. It is
also alleged that despite having got the money from the
Government, the petitioner did not pay the amount, due to the
informant pertaining to the work, he had executed.



The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the present case. The petitioner is stated to be an accused in one another case but he is on bail in the said case. The learned counsel for the petitioner has further submitted that at best, the allegation levelled in the present case is in the nature of civil dispute and no criminal offence is made out. It is also submitted that there is no whisper about any agreement having been executed in between the petitioner and the informant so as to warrant payment of any sum of money.

Per contra, the learned APP for the State and the learned counsel for the informant have though vehemently opposed the prayer for bail but they have not been able to show that any agreement was executed in between the parties so as to warrant any payment by the petitioner to the informant, however, the learned counsel for the informant submits that he be permitted to seek redressal of his grievances regarding recovery of the outstanding dues by taking recourse to such remedies, as are otherwise available under the law.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available



on record as also considering the fact that no agreement exists in between the parties, so as to warrant payment of money to the informant, apart from the fact that the allegation levelled in the present case is purely in the nature of civil dispute, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Sheohar in connection with Sheohar PS case no. 224 of 2021, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

