

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24146 of 2023

Arising Out of PS. Case No.-5645 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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KUMAR PUSHPAL @ RIKKU S/O SUDHIR PRASAD R/o- Kali Asthan,
Ward No. 10, Mahmadpur, P.S.- Jandaha, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Jamal Agro Industries Pvt. Ltd. Through Syed Nazir Jamal, S/O Late Syed Khursheed Jamal, Aged About 45 Years (Male), Office At 102, Zoya Mansion, Haroon Nagar, Sector- 2, Phulwari Sharif, P.S.- Phulwari Sharif, District- Patna, Pin Code 801505

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Digamber Kr. Singh Mr. Madhusudan Lal Jamuar Mr. Sanjeev Kumar Sinha
For the State	:	Mr. Binod Kumar
For the Opposite Party No. 2:		Mr. Majid Mahboob Khan Mr. Mukund Kumar Mr. Rashid Zafar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 03-10-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State assisted by learned counsel for the

complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 379,
420 of the Indian Penal Code.

3. As per the prosecution case, allegation against
the petitioner is that in discharge of his liability the petitioner
issued cheques which were firstly dishonoured due to variance



in signature and subsequently he gave an undertaking in writing to return the money back to the complainant but as per record no money was returned to the complainant.

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 there is no any agreement between the parties. He further submits that Rs. 90 lakh of the petitioner was due on the complainant and the complainant has not returned the said amount to the petitioner. He also submits that there is business dispute between the parties. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the complainant opposed prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that it is a business 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. 5645(C) of 2019, 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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