

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24638 of 2023

Arising Out of PS. Case No.-981 Year-2019 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

GAJENDRA SINGH @ GAJENDRA SINGH CHAUHAN Son of Late
Dinanath Singh Resident of Rajiv Nagar, Road No.- 09 C Nearest Veer Kuwar
Singh Chowk, P.O. and P.S.- Rajiv Nagar, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rabindra Singh Son of Late Rameshwar Singh Resident of village -
Majhauan, P.S.- Ara Town, District - Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Narayan Singh.1
For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406 and 504
of the Indian Penal Code.

As per the prosecution case, the petitioner has taken
Rs. 12 lakh from the complainant for the construction of his house,
but the petitioner has not returned the said amount to the
complainant.

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 daughter of



the complainant has also filed a Matrimonial Case No. 218 of 2020 for a decree of a divorce. He further submits that apart from the Complaint Case No. 1036(C)/2019 contained in Annexure-3, there is also compromise between the daughter of the complainant and the petitioner and his son. He also submits that there is divorce between the daughter of the complainant and the son of the petitioner. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is 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. 981(C)/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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