

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34090 of 2023

Arising Out of PS. Case No.-60 Year-2016 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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SUNIL KUMAR Son of Jagdish Yadav @ Jagdish Singh @ Bhagat Jee
Residence of village - Mirjapur, P.S.- Kinjar, Dist.- Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prop. Ashok Kumar Son of Vijay Kumar Maa Bhawani Traders, Resident of village - Kinjar, P.S.- Kinjar, Dist.- Arwal

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 60 of 2016 registered for the offence punishable under Sections 406,323 and 504 of the Indian Penal Code.

3. The informant has alleged that the petitioner has taken some materials for construction of building from his shop and out of total Rs. 3,69,038/- only Rs. 2,29,000/- has been paid. It is further alleged that when demand was raised, he has been abused and threatened with dire consequence.

4. It is submitted by the petitioner's counsel that to



coerce the petitioner to pay excess than what was due, the criminal case has been lodged. The entire dues have been paid. Petitioner has no criminal antecedents.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the rival submissions, nature of allegations raising predominately a civil dispute and clean antecedent, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for anticipatory bail is allowed.

7. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Arwal, in connection with Complaint Case No. 60 of 2016, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure with following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also



undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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