

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43737 of 2023

Arising Out of PS. Case No.-245 Year-2022 Thana- CHAUSA District- Madhepura

1. Suraj Jaiswal Son of Ashok Jaiswal Resident of village - Bageshwari Asthan, Gulabbagh, P.S. - Sadar, Distt. - Purnia
2. Ashok Jaiswal Son of Late Parshuram Jaiswal @ Parshuram Prasad Jaiswal Resident of village - Bageshwari Asthan, Gulabbagh, P.S. - Sadar, Distt. - Purnia

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-08-2023 Heard learned counsel for the petitioners and the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, petitioner purchased maize and turmeric from the informant of Rs. 3,36,146/- with a promise to pay the amount within a period of one month, but in spite of repeated reminders petitioner did not pay the same to the informant.

4. It is submitted that there is business transaction between the parties and prior to the alleged occurrence, on 24.07.2021 at about 3.00 pm, the informant abducted petitioner no. 1 and locked in a room and on the next day, informant



forcibly took the signature on a blank stamp paper by threatening him of dire consequence for which petitioner no. 1 lodged a complaint case bearing Complaint Case No. 798 of 2021 before the Court of Chief Judicial Magistrate, Purnea under Sections 406, 420, 324, 379, 467 and 478 of the Indian Penal Code. As a matter of fact, petitioners never purchased any maize and turmeric. Moreover, it is a money dispute between the parties for which petitioner may file money suit. Petitioners claim clean antecedent.

5. Counsel for informant however vehemently opposed the prayer for bail.

6. Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Udakishunganj at Madhepura in connection with Chausa P.S. Case No. 245 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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