

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46572 of 2023

Arising Out of PS. Case No.-177 Year-2023 Thana- PHULWARISHARIF District- Patna

Raish Alam @ Rais Alam @ Rayees Alam Son Of Baijul Resident Of Village-
Mahatwana, Ps- Phulwari Sharif, Dist- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Mani Shankar Kumar, Advocate
For the Opposite Party/s :	Mr.Choubey Jawahar, Addl Public Prosecutor
for the informant	Mr VK Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 18-09-2023 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 406, 420, 467, 463, 379, 504, 506/34 and other allied sections of the Indian Penal Code.

3. As per the prosecution case, accused persons, by forming a construction company, got deposited Rs.81.30 lacs by the complainant and later on when he demanded his money, the accused persons assaulted him with fists and slaps and snatched his gold chain, wrist watch and cash Rs.20,000/-.

4. Learned counsel appearing for the petitioner submits that the petitioner is not the partner in the construction firm, rather he was merely care taker of the project, appointed by co-accused Syed Md.Asharful Islam. Allegation of assault is



general and omnibus against this petitioner and no specific overt act has been alleged against him. Moreover, dispute is purely of civil nature. Petitioner claims clean antecedent.

5. Learned counsel for the State as well as the complainant oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna in Phulwari Sharif Police Station Case No. 177 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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