

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52355 of 2023**

Arising Out of PS. Case No.-33 Year-2021 Thana- GAYA COMPLAINT CASE District-
Gaya

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SADHU SARAN YADAV son of Late Hira Yadav Village- Beldar Bigha Ps-
Belaganj Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kafil Ahmad son of Late Shamim Ahmad R/o- Sherpur Ps- Chandauti Dist-
Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Sr. Adv
		Mr. Sunil Kumar Yadav, Adv
For the Opposite Party/s:		Mr. Gauri Shankar Gupta, APP
		Mr. Sanjay Kumar Sharma, Adv

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2023 Heard learned Senior Counsel for the petitioner,

learned counsel for the complainant as well as learned APP for

the State.

2. The petitioner apprehends his arrest in a case regis-
tered for the offence punishable under Sections 420 and other
allied Sections of the Indian Penal Code.

3. Allegedly, the petitioner took Rs.2,00,000/- from the
complainant and when the complainant asked him to return his
money, he refused and assaulted him.

4. It is submitted by learned Senior Counsel for the peti-
tioner that petitioner is quite innocent and have committed no



offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. The complainant has not paid any money to the petitioner. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

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

6. Having regard to the facts and circumstances of the case as there is a civil dispute/money dispute between the parties, let the above named petitioner, be released on bail, in the event of his/her 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.33 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, the petitioner is directed to co-operate in the trial and shall remain physically present in the court on each and every date during trial and in the event of failure on two



consecutive dates, his bail bonds shall be cancelled by the
learned Court concerned.

(Anjani Kumar Sharan, J)

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