

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51104 of 2022

Arising Out of PS. Case No.-200 Year-2020 Thana- THARTHARI District- Nalanda

BHUSHAN CHAUHAN S/o Amrit Chauhan Resident of Village- Bari
Chhariyari Tola Noniya Bigaha, P.S.- Tharthari, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Anil Kumar Singh, Adv.
For the Opposite Party/s :	Mr.Ram Priya Sharan Singh,APP.
	Mr. Rajiv Ranjan No.II, Adv.
	Ms. Priyanka Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 23-01-2023 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defect (s), as pointed out by the office, within a period of four weeks.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 406, 420 of the Indian Penal Code.

The prosecution story, in short, is that the informant has given Rs. 5,00,000/- to petitioner for working in his brick kiln. But after receiving of the above amount, petitioner has not gone to informant's brick kiln for working as a labourer and when the informant demanded his due amount, he did not return full amount.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence as alleged ever took place. It is further submitted that the informant is the owner of the brick kiln, has forcibly taken two blank cheques in the name of petitioner's wife and when the informant raised suspicion that petitioner will file a case with regard to blank cheques, he lodged the present case in an arbitrary manner. He further submits that petitioner has not received any amount. The petitioner and his family member have performed work as a labourer in brick kiln. But informant did not give proper wages due to which some altercation has been taken place between the parties. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is business transaction 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 Tharthari P.S. Case No. 200 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

However, informant would be at liberty to take legal recourse for his due amount, as alleged by him, as may be advised to him.

(Anjani Kumar Sharan, J)

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