

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7592 of 2024

Arising Out of PS. Case No.-121 Year-2020 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Abhishek @ Abhishek Yadav Son of Chandrashekhar Prasad Yadav Proprietor of Utkarsh Enterprises, N.H. 57, Parsa chowk, Jhanjharpur/Madhubani, R/o vill - Mahindwar, P.O. - Navtoli Mahindwar, P.S. - Phulparas, Distt. - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Balram Jha Son of Late Punidhar Jha R/o vill and P.O - Sudai Ratauli, P.S. - Phulparas, Distt. - Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehend his arrest in connection with Complaint Case No. 121(C) of 2020 instituted under Sections 406 and 420 of the Indian Penal Code.

3. As per the prosecution case, the informant gave money for the work of boring and construction of water tower to the petitioner and other accused persons but they did not complete the work and also not returning the money to the informant.

4. Learned counsel for the petitioner submits that



there is no agreement between the petitioner and the complainant for the work in question. He further submits that the complainant has purchased the article from the petitioner for which the petitioner has given cash memo to the complainant and he has not involved in the execution of the work. He also submits that the petitioner has no criminal antecedent and he is ready to co-operate in the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Judicial Magistrate 1st Class, Jhanjharpur, District- Madhubani or Concerned Court Below in connection with Complaint Case No. 121(C) of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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