

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17195 of 2024**

Arising Out of PS. Case No.-1701 Year-2020 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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1. Praveen Kumar Saurav Son Of Madneshwar Rai @ Madan Rai
 2. Navin Kumar Saurabh Son Of Madneshwar Rai @ Madan Rai
 3. Madneshwar Rai @ Madan Rai Son of Late Dawarik Rai, All Resident Of
Village - Narayanpur Derpura, P.S. - Mahnar, District - Vaishali
- Petitioner/s

Versus

1. The State of Bihar
 2. Raushan Kumar Son Of Ashok Rai Resident Of Village - Porar, P.S. -
Jandaha, District - Vaishali
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 20-03-2024 1. Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners seek bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 406 and 323 of the IPC.

3. The learned counsel for the petitioners submit that
the petitioners are person with clean antecedent and have been
falsely implicated in the instant case by the complainant.



4. It is next submitted that from perusal of the allegation as alleged in the complaint, it would manifest that the dispute is purely civil to which a criminal colour has been given. It is further submitted that the dispute relates to supply of milk. It is next submitted that the complainant alleges that he has supplied certain amount of milk in the year 2019 for which payments were not made, but then it is submitted that the petitioners were making payment of the milk supplied and the complainant was asking for an amount for which there was no supply of milk. It is thus submitted that the dispute is purely commercial and the complainant has instituted the instant case only to use criminal court as a tool for recovery.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Vaishali at Hajipur in connection with Complaint Case No.1701 of 2020,



subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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