

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.39019 of 2024

Arising Out of PS. Case No.-1799 Year-2021 Thana- SARAN COMPLAINT CASE District- Saran

Vinod Kumar Srivastawa @ Binod Kumar Srivastava @ Vinod Srivastava son of Bundeli Lal Village- Manupur Ps- Dighwara Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 08-08-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 471, 323, 504 and 506 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and the complainant alleges that she sold two plots of her land, one to Munni Devi and other to Sadhna Devi for a combined consideration of Rs. 16,20,000/- but received only Rs. 14 Lakhs and when she demanded her left over dues, the purchasers of the land informed that due money has been given to the petitioner who acted as a mediator, it is next alleged that when she asked the petitioner to make payment, he said that money has already been deposited in her account, but it is alleged that the complainant did not receive any money.
4. Learned counsel for the petitioner submits that from



bare 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 also submitted that, in sum and substance, the instant criminal case has been instituted in order to recover the monetary dues. It is next submitted that criminal courts will not act as a recovery agent for the complainant.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 1799 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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