

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37981 of 2024

Arising Out of PS. Case No.-2372 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Ramjee Son of Late Hari Kishore Singh R/o C-50, Indrapuri, P.S. - Shashtri
Nagar, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahamaya Kumar Singh Son of Ram Balak Singh R/o Pinarthu Kala,
Sonbarsa, Siwan, At Present Prop. M/s Aluminium and Glass, Balaji Market
Kautilya Nagar, 90 feet Road, West of Tara Tower A.G. Colony, P.S.- Shastri
Nagar, Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari
For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-07-2024 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 offence punishable under Sections 420, 323,
506 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case by the complainant. It is next
submitted that the complainant alleges that petitioner had
allotted him some work to install slide ACP, Partition ACP,
Aluminum Shelves, Almirah etc. in a building at three places



and the complainant despite completing his work was not paid his entire dues and on repeated demand for his dues, a cheque of Rs.50,000/- was issued but he was asked not to present the same as he would be paid in cash. The learned counsel submits that from perusal of the allegation as alleged in the complaint, it would manifest that the dispute is civil to which a criminal colour has been given and the instant complaint case has been instituted only with a view to coerce the petitioner into submission so that he parts with the fanciful demand of the complainant. It is also submitted that the petitioner disputes the allegation as alleged in the complaint. It is further submitted that criminal courts are not meant to be used as a tool for recovery under threat of arrest. It is next submitted that though the complainant alleges that a cheque was issued to him but then the same was never presented, which amply demonstrates that only to make out a case false allegation relating to monetary dispute has been raised.

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

5. 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 Court below



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.2372© of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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