

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46623 of 2024

Arising Out of PS. Case No.-318 Year-2019 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Amit Gupta @ Amit Kumar Son of Sri Harishankar Gupta @ Hari Shankar Prasad Village- Saraiya, Post- Dumari, P.S.- Basdiha Road Baliya, Distt.- Baliya (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nilesh Kumar Son Of Raja Ram Singh Village- Natwar Kalal, Po- P.S.- Natwar, Distt.- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Dhaneshwar Prasad Gupta, Advocate
For the Opposite Party/s :	Mr. Ashok Kumar Singh, A.P.P.
	Mr. Santosh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-08-2024 Heard learned counsel for the petitioner, O.P. No. 2
and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 406, 504 of the Indian
Penal Code.

3. As per the prosecution case, this petitioner
borrowed pens and refills amounting to Rs. 4,14,712/- from the
opposite party No. 2 and he has not paid the dues Rs. 2,04,712/-
till date.

4. Learned counsel for the petitioner submits that
petitioner has already paid the full amount and there is no



payment left to be made. He next submits that dispute arises of business transaction and is purely civil in nature. Opposite party No. 2 has got alternate remedy before the court below. Petitioner has got clean antecedent.

5. Learned counsel for the opposite party No. 2 vehemently opposed the bail application.

6. Considering the nature of accusation, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate- 1st, Bikramganj, Rohtas in connection with Complaint Case No. 318 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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