

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61211 of 2024

Arising Out of Case No.-558 Year-2019 KHAGARIA COMPALINT CASE District-
Khagaria

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Shyamdeo Muni son of Awadhesh Muni @ Awadh Lal Muni @ Abadhhlal
Muni Resident of village- Madarpur, Ps- Maheshkut, Dist- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjeev Kumar son of Late Brahmdeo Prasad village- Harinagar, Ps- Gogri,
Dist- khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hafiz Shahbaz Arif, Adv.

For the Opposite Party/s : Mrs.Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-09-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 558C of 2019 dated 02.07.2019 registered for the offence(s) punishable under Section(s) 406 and 420 of the Indian Penal Code.

3. Mr. Hafiz Shahbaz Arif, learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence and the entire prosecution case is false and concocted. It is further submitted that there is dispute between the parties on account of non payment of loan and the instant case is purely of civil nature and the complainant has remedy before the Civil Court. It is also submitted that from perusal of the entire complaint petition no case under sections 406 and 420 of the I.P.C.



is made out and the petitioner has fair and clean antecedent.

4. Mrs. Suman Kumari Singh, learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Heard both sides and perused the materials on record. The instant matter is based on complaint filed by O.P. No.2 against the petitioner and the main grievance of the O.P. No.2 is non payment of Rs. 58,800/- which was allegedly taken by the petitioner for the business purpose and the petitioner has fair and clean antecedent. Considering these facts as well as the nature of allegation appearing against this petitioner from the complaint petition, this court is inclined to accept the anticipatory bail prayer of the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Complaint Case No. 558C of 2019 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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