

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79278 of 2023

Arising Out of PS. Case No.-8683 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Jai Krishna @ Anil Tiwary Son Of Sri Sita Ram Tiwary @ Sri Sita Ram
Trivedi R/O Mother Teresa Road, Ram Krishna Nagar West Of Hanuman
Mandir Road, Sampatchak, P.S.- Ram Krishna Nagar, District- Patna
... .. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Tiwary, Adv.
For the State : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 15-05-2024 Heard Mr. Ranjeet Tiwary, learned counsel for the

petitioner and Mr. Dilip Kumar No. 1, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 406 of the
Indian Penal Code.

3. Petitioner is said to have misappropriated
amounting of Rs. 4,34,724/- of the complainant. Petitioner had
also taken several books by committing inducement, fraud and
cheating against the complainant.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that the petitioner has returned all money to
the complainant as stated in para-10 and 11 of the bail
application. He further submits that petitioner has no criminal
antecedent as stated in para-3 of the bail application.



5. Learned APP for the State and learned counsel for the complainant opposing the prayer for bail submit that Rs. 4,34,720/- is still due on the petitioner. Learned counsel for the complainant by way of counter affidavit submits that after all the discussions, the parties came to settlement agreement to pay the outstanding dues of Rs. 3,50,000/-. Both parties agreed upon a settlement and settlement deed dated 18.07.2023 was prepared and signed by both the parties in presence of their respective counsels and payment schedule was also prepared.

6. Considering the facts and circumstances of the case and the fact that this is a case of business transaction, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. 8683(C) of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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