

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1550 of 2024

Arising Out of PS. Case No.-26632 Year-2014 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Awadh Raj Late Munar R/o Village- Raje Sultanpur PS- Raje Sultanpur District- Ambedkar Nagar (U.P.)
 2. Mahesh Prasad Late Munar R/o Village- Raje Sultanpur PS- Raje Sultanpur District- Ambedkar Nagar (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Dr. Ashok Kumar Late Ram Harsh Das R/o Village- Raje Sultanpur PS- Raje Sultanpur District- Ambedkar Nagar (U.P.) At present resident of Mohalla- Gandhi Nagar, House No. 17 Boring Road PS- SK Puri District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Raj Krishna Jha
For the Opposite Party/s :	Mr.Bharat Lal, APP
	Mr.Arun Kumar No.1, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-04-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 420, 34 of the IPC.

3. As per the prosecution case, petitioner no.1 came to the
house of complainant and demanded Rs.2,50,000/- and the same
was paid by the complainant and petitioner no.1 assured to
return the amount within six months but the same was not
returned.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. Petitioners were in the business of iron and steel in the name of Awadhesh Mahesh Iron Merchant situated at Raje Sultanpur, U.P. and being the supplier, they supplied goods to the complainant worth Rs.2.5 Lakhs, for which the alleged payment was made by the complainant. The receipt of the goods supplied is enclosed at Annexure-P/II series. It is further submitted that this is a civil/money dispute between the parties. Learned counsel for the petitioners submits that the matter relates to the year 2003, the complaint case was filed in the year 2014 but the petitioners moved for anticipatory bail in 2024, due to lack of knowledge regarding this case filed by the complainant. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for bail by submitting that the receipts enclosed by the petitioners are forged and fabricated, there is no sign of the complainant over the receipts indicating therein that the said articles have been purchased by the complainant.

6. Having regard to the facts and circumstances of the case,



it appears that it is a civil/money dispute between the parties, as such, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each 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.26632 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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