

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7659 of 2024

Arising Out of PS. Case No.-32 Year-2023 Thana- PURUSHOTTAMPUR District- West
Champaran

SHEIKH AMRUL HODA @ AMRUL HODA, S/o Sheikh Lal Mahammad,
R/o Village-Bhaluwahiya, P.S.-Purushottampur, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the Informant	:	Mr. Anant Kumar Mishra, Advocate
For the State	:	Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 27-03-2024 The matter has come under the heading “To be mentioned”.

2. This matter is listed before the Court and it appears that due to typographical inadvertence order dated 19.02.2024 passed in the present case i.e. Cr. Misc. No. 7659 of 2024 was created wrongly in Cr. Misc. No. 7659 of 2023 and pronounced accordingly which requires modification.

3. Considering the aforesaid facts, let the order dated 19.02.2024, passed in Cr. Misc. No. 7659 of 2024 be modified and read as follows:-

*“Heard learned counsel for the
petitioner and learned Additional Public
Prosecutor for the State.*

*2. The petitioner apprehends his arrest
in connection with Purushottampur P.S. Case No.*



32 of 2023 registered for the offences punishable under Sections 341, 342, 323, 308, 384, 406, 420, 504, 506, 34 of the Indian Penal Code.

3. Allegation against the petitioner is that he has taken friendly loan from the informant of Rs. 1,65,000/- but did not return the same. On demand to return the loan, petitioner assaulted the informant and the occurrence took place. The informant filed the complaint case which was converted into FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There has been some accounting dispute between the petitioner and the informant and no amount of the informant is due against the petitioner. The dispute is of taking friendly loan and dispute with respect to its non-refund, is civil in nature. Petitioner has no criminal antecedent and he is ready to cooperate in the investigation.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt of this order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two



sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Purushottampur P.S. Case No. 32 of 2023, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.”

4. Accordingly, the order dated 19.02.2024 is modified to the above extent.

(Sunil Dutta Mishra, J)

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