

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3123 of 2025

Arising Out of PS. Case No.-59 Year-2022 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Liyakat Ansari S/o Mustafa Ansari R/o Village- Kochari, PS- Bhagwanpur,
District- Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Yadunath Singh S/O Late Sangatha Singh R/o vill - Rohuan Kala, P.S. -
Durgawati, Distt.- Kaimur at Bhabua, at Present Chhawani Mohalla Bhabua,
ward no. 8, P.S. - Bhabua, Distt.- Kaimur at Bhabua

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Parwej Khan
For the Opposite Party/s	:	Mr. Vinod Shanker Modi- A.P.P. Mr. Indu Shekhar Dwived

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 08-05-2025 1. Heard learned counsel for the petitioner, the

learned counsel appearing on behalf of the complainant and

learned APP for the State.

2. The petitioner seeks bail in anticipation of his

arrest in a case registered for the offences punishable under

Sections 323 and 420 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that

the petitioner is a person with clean antecedent and the

complainant alleges that he intended to construct a house thus

gave Rs.4 Lacs to the petitioner for supplying building

materials, but the same was not supplied, for which a legal



notice was sent, but then, petitioner did not reply the legal notice satisfactorily, as such, the complainant went to the house of the petitioner for getting his money back when it is alleged that he was assaulted and abused.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the complainant. It is next submitted that even presuming what has been alleged is true without admitting, then the dispute appears to be civil, but then, the petitioner denies that any amount in cash was given to him by the complainant. It is also submitted that a bald allegation is alleged that Rs.4 Lacs was given to the petitioner for supply of construction materials. It is next submitted that the complainant instead of instituting a criminal case ought to have instituted a money suit for recovering the money, had he given to the petitioner, so that the petitioner could have rebutted his claim before a Court of competent civil jurisdiction, but then, the complainant by resorting to a criminal case is trying to coerce the petitioner into submission.

5. Learned counsel for the opposite party no.2 as well as learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the



event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VIIth, Kaimur at Bhabua in connection with Complaint Case No.59 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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