

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28586 of 2024

Arising Out of PS. Case No.-1570 Year-2005 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Jiyaur Rahman @ Jiyaul Haque @ Zeyaur Rahman @ Jiyau Rahman Son of
Late Md. Islam Village Keshopur, P.S. Thawe, District Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kunwar Singh Son of Late Taker Singh R/o Village- Deoriya, P.S.- Thawe,
District- Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Adv

For the Opposite Party/s : Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

7 29-01-2026 Heard the parties.

2. The petitioner is named in the complaint case and apprehending his arrest in connection with Complaint Case No. 1570 of 2005 registered for the offences punishable under Sections 420 and 406 of the Indian Penal Code.

3. As per complaint petition, petitioner was a wholesale dealer of footwear, who after obtaining the goods supplied by complainant failed to pay balance amount of Rs. 1,10,442/- and also stopped to purchase materials from complainant.

4. It is submitted by learned counsel appearing on behalf of the petitioner that dispute primarily appears civil in nature as matter is arising out of business transactions. It is submitted that on different occasions the payment was made by



the petitioner, but due to certain business disputes balance payment was not made, which is a subject matter of civil litigation. While concluding argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Despite valid service of notice, complainant/O.P. No. 2 failed to join the present proceedings.

7. In view of aforesaid factual submission and by taking note of fact as primarily disputes between the parties appears completely civil in nature arising out business transactions, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Gopalganj/concerned Court, where the case is pending in connection with Complaint Case No. 1570 of 2005, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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