

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17429 of 2015

Arising Out of PS.Case No. -179 Year- 2003 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Shailendra Kumar Kaushik S/o Late Ram Baran Sharma @ Shashi
Bhushan Dutta @ Munshi Jee Resident of Mohalla F.C.I. Road,
Fulwarisharif, P.S. Fulwarisharif, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Prem Kumar Mandhan S/o Shri Takechand Mandhan Resident of Village
& P.S. Sakri, District Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma, Advocate
For the Opposite Party/s : Mr. Sanjay Kr.Tiwary(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 18-05-2015 Heard learned counsel for the petitioner and the

State.

The petitioner is apprehending his arrest in a
complaint case in which processes have been directed to be
issued after cognizance being taken for the offences punishable
under Sections 420, 406, 323, 504/34 of the Indian Penal
Code.

It is alleged that the complainant has one Firm
namely M/s Bhagwati Industries at Naya Tola, Sakri and used
to sale fly leaf. The petitioner was the supplier of fly leaf, but
ultimately Rs. 1,80,498/- was not paid by the petitioner to the
complainant leading to filing of the complaint case.

It is submitted by the learned counsel for the

petitioner that now the payments have already been made and the complainant and petitioner have filed a compromise petition before the learned Sessions Judge while bail application of the petitioner was under consideration and the same has been brought on record as Annexure-2.

This court is not inclined to interfere, since the complaint was filed in 2003 and cognizance was taken in 2004, but in view of the present stand of the parties it is a case for consideration of prayer for regular bail.

Let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with C.R. Case No. 179 of 2003, pending in the court of learned Judicial Magistrate, Ist Class, Madhubani.

With the above observation this application is disposed of.

It is expected that learned court below will dispose of the application for regular bail preferably on the same day.

(Dinesh Kumar Singh, J)

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