

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13972 of 2015

Arising Out of PS.Case No. -50 Year- 2013 Thana -ARER District- MADHUBANI

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Bishwanath Mandal, Son of Bindeshwar Mandal, resident of Village-
Bhakshi Dakshin Tola, P.S.-Madhubani and District-Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Lalan Kumar Sah, S/o Ram Bilas Sah @ Akalu Sah, resident of
Village-Dullipatti, P.S.-Aret, District-Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the Informant : Mr. Rajesh Kr. Verma, Adv.

For the State : Mr. Ahmad Ali (A.P.P.)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

3 12-08-2015 Heard Mr. Raj Kumar, learned counsel for the

petitioner, Mr. Rajesh Kumar Verma, learned counsel for the

informant and Mr. Ahmad Ali, learned Assistant Public

Prosecutor for the State.

This application for grant of anticipatory bail
arises out of Arer P.S. Case No. 50 of 2013, disclosing
offences under Sections 406 and 420 of the Indian Penal
Code.

During course of argument, my attention has been drawn to an order of this Court dated 22/05/2015, passed in Cr. Misc. No. 12557 of 2015, whereby, similarly situated other co-accused, namely, Manoj Kumar Sah, has been granted regular bail.

Mr. Raj Kumar, learned counsel for the petitioner, has submitted that it is essentially a civil dispute between the parties. Learned counsel appearing on behalf of the informant, on the other hand, has vehemently opposed the prayer for bail.

Considering the submission that other co-accused person has been granted regular bail, I am inclined to grant the privilege of anticipatory bail to this petitioner, in view of an undertaking on his behalf that he will be depositing bank draft/banker's cheque of a sum of Rs. 50,000/- favouring the informant, without prejudice to his right and contentions

In view of the submission as above, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of

learned Judicial Magistrate, Ist Class, Madhubani in connection with **Arer P.S. Case No. 50 of 2013 (Tr. No. 438 of 2013 corresponding to G.R. No. 1128 of 2013)**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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