

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.33286 of 2015**

Arising Out of PS.Case No. -28 Year- 2015 Thana -ARA NAWADA District- BHOJPUR

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Rajesh Kumar Singh S/o- Sri Sheo Pukar Singh @ Namnath Singh, R/O-  
Mahthin Tola, P.S. Ayar, District Bhojpur at Ara (Bihar) At present residing  
at Mohallah – Jagdeo Nagar, House of C.D. Verma, P.S. Ara Nawada,  
District – Bhojpur at Ara (Bihar)

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Rajesh Prasad S/o- RAjendra Prasad, R/o- village Mdura, P.S. Garhani,  
District Bhojpur at Ara (Bihar) at Present residing at Mohallah – Jagdeo  
Nagar, House of C.D. Verma, P.S. Ara Nawada, District – Bhojpur at Ara  
(Bihar)

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Md. Ansural Haque(App)

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

5      01-12-2015                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner apprehends his arrest in connection with  
Nawada P.S. Case No. 28 of 2015 registered for the offences  
punishable under Sections 420, 323 and 504 of the Indian Penal  
Code and Section 138 of the Negotiable Instruments Act.

Learned counsel for the petitioner submits that even if,  
the allegation against the petitioner assumed to be true and correct  
then also, it is a case of civil nature and it should be decided in a  
court of competent jurisdiction. It is further submitted that the  
opposite party no. 2 has failed to appear before this court and has

not accepted notice, sent to him by this Court on several occasions.

Considering the nature of allegation and also the fact that petitioner has no criminal antecedent, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara in connection with Nawada P.S. Case No. 28 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

**(Anjana Mishra, J)**

Jagdish/-

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