

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50720 of 2014

Arising Out of PS.Case No. -43 Year- 2014 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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Rajat Kumar Pandey @ Sani, son of Sri Braj Bihari Pandey resident of
village - Madhopur Mahuawa, P.S. Chhatauni, District - East Champaran.
.... Petitioner.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner : Mr. Akhileshwar Prasad Singh, Sr. Adv.
Mr. Umesh Chandra Verma, Adv.
For the Opposite Party : Mr. Jitendra Kr. Singh No.1, APP

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

02 26-05-2015

The petitioner apprehends his arrest in Chhatauni Town
P.S. Case No.43 of 2014 instituted under Sections-406, 420, 504
and 506/34 of the Indian Penal Code pending before the learned
Chief Judicial Magistrate, East Champaran at Motihari.

Sri Akhileshwar Prasad Singh, learned senior counsel
appearing in support of this application, draws attention to the fact
that in the FIR it is alleged that the villagers had collected money
for getting mobile tower installed in the village. The responsibility
was placed on the petitioner that allegedly neither he has refunded
the money nor the tower was installed. Learned senior counsel
further submits that for installing a mobile tower, normally it is the
duty of the mobile company and not the other way round. From
perusal of Annexure-2, it appears that a complaint was earlier
lodged by the informant against the officers of the Airtel company

alleging that they had come to the village and informant had collected money and it is only in retaliation to the aforesaid that the present case has been lodged. It is also submitted that moreover it is merely a civil dispute with no criminality.

Be that as it may, in the event of arrest or surrender within four weeks from today, the petitioner, namely, Rajat Kumar Pandey alias Sani shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari in connection with Chhatauni Town P.S. Case No.43 of 2014, subject to all conditions as laid down in Section-438(2) of the Criminal Procedure Code.

(Navaniti Prasad Singh, J.)

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