

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54836 of 2015

Arising Out of PS.Case No. -30 Year- 2014 Thana -JAYNAGAR District- MADHUBANI

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1. Dilip Mahto Son of Laxmi Narayan, resident of Village- Betaunha, P.S.- Jay Nagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 448, 384, 387, 504, 506 of the Indian Penal Code.

The prosecution case is that the informant was confined in a room and his signature was obtained on a blank stamp paper forcibly on 24.11.2013, for which the informant lodged Jainagar P.S. Case No. 235 of 2013 against the petitioner. The petitioner was carrying a brick kiln on the land of the informant, and petitioner tried to grab the same. Thereafter the informant sold the land to

one Radhe Mahto, when the petitioner abused the informant on 25.11.2013 and gave threatening to kill him. Consequently, the informant was not residing in her house for a considerable period.

It is submitted by the learned counsel for the petitioner that in the earlier case lodged by the informant being Jainagar P.S. Case No. 235 of 2013, Final Form was submitted and it was accepted. The petitioner was not sent up for trial. Thereafter for the same cause of action of 21.12.2013 the present First Information Report was lodged on 01.03.2014, whereas the petitioner filed Complaint Case No. 1695 of 2013 against the informant for non-executing the sale deed in spite of receiving the consideration amount on 23.12.2013 and thereafter the present case was registered on 01.03.2014.

Considering the delayed lodging of the case, statement has been made in para-3 of the petition that petitioner has no criminal antecedent and the case lodged by the petitioner against the informant is at earlier point of time, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Madhubani in connection with Jay Nagar P.S. Case No. 30 of 2014, subject to conditions as laid down

under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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