

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44546 of 2015

Arising Out of PS.Case No. -1393 Year- 2011 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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Mokaddam Khan Son of Moajjam Khan Resident of Village - Dariyapur
East, P.S.- Sangrampur, District - East Champaran

.... Petitioner

Versus

1. The State of Bihar
2. Shamsur Rahman Khan, Advocate Son of Motiur Rahman Khan Resident
of Village - Dariyapur East, P.S.- Sangrampur, District - East Champaran

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA
ORAL ORDER

2 16-10-2015 Heard learned counsel for the petitioner and learned

Additional P.P. for the State.

The petitioner prays for anticipatory bail in a Complaint
case under Sections 436/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that
earlier for the same occurrence the complainant had filed
Sangrampur P.S.Case No.110 of 2010 in which after investigation
the police submitted final form stating that the case was true under
Section 435 IPC but no clue.

Learned counsel further submits that the complainant of
the present matter, who is an Advocate and has a long standing

dispute with the petitioner, has kept on filing several criminal cases against the petitioner. Apart from which, the petitioner has no other criminal antecedent.

On a consideration of the facts and circumstances of the case, it is directed that the petitioner, Mokaddam Khan, in the event of his arrest/surrender in the court below within a period of four weeks from today, shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each in connection with Trial No. 1385 of 2015, arising out of Complaint Case No. C-1393 of 2011 to the satisfaction of the concerned Judicial Magistrate, 1st Class, Sadar, East Champaran at Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ramesh Kumar Datta, J)

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