

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6812 of 2016

Arising Out of PS.Case No. -242 Year- 2015 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Sanjeev Tiwari son of Radheshyam Tiwari Resident of Turhapatti, P.S Chanpatia District West Champaran.
 2. Pramod Kushwaha son of Lalbaboo Kushwaha Resident of Matiarua, P.s Shikarpur, District West Champaran.
 3. Md. Sohail Son of Md Asif Resident of Village Chhawani, P.s Bettiah Mufassil (Manuwapul), District West Champaran.
 4. Miku Tiwari@Rajiv Ranjan son of Radheshyam Tiwari Resident of Turhapatti, P.S Chanpatia District West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Navin Kr.Pandey(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

7 21-07-2016

I.A. No. 1325 of 2016

Mr. Aditya Nath Jha appears in this case on behalf of opposite party No. 2 and submits that he has filed the Vakalatnama on behalf of opposite party No. 2 as the previous counsel Mr. Manoj Kumar Singh has stopped making Pairvi in this case and has also refused to give the No Objection Certificate. He thus, prays for granting him permission to appear in the present case on behalf of the opposite party No. 2. A fresh Vakalatnama has also been filed by him.

I.A. No. 1325 of 2016 is allowed.

It appears that the matter has been sent to the Mediation

Center but thereafter, the Mediation could not succeed and the same has been listed before this Court for further orders.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State as well as learned counsel appearing on behalf of the opposite party No. 2.

On perusal of the materials on record, it appears that the main dispute in the present case is on account of a partnership which was entered into by the parties.

On perusal of Annexure-2, it reveals that opposite party No. 2 had also signed on it and that it was the present petitioner who had invested rupees twenty-five lacs in the brick-klin business and not the opposite party No. 2 as has been alleged in the First Information Report.

Taking into consideration all facts and circumstances and the nature of allegations made and materials surfaced on record, let the petitioners above named, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bettiah, West Champaran, in connection with Chanpatiya P.S. Case No. 242/2015, subject to

the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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