

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1074 of 2016

Arising Out of PS.Case No. -70 Year- 2015 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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Pramod Kumar Tiwary @ Pramod Tiwary S/o Sri Jainath Tiwary, resident
of village- Mehsi Ghariyari Chak, P.S.- Mehsi, District- Motihari (East
Champaran)

.... Petitioner

Versus

1. The State of Bihar
2. Khurshid Alam S/o Late Md. Suleman, resident of village- Punpun
Bazar, P.S.- Punpun, District- Patna. At present posted as D.F.O.,
Motihari, East Champaran

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Jharkhandi Upadhyay, Advocate
For the Opposite Party : Mr. Ajay Kr. 2, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-03-2016 A supplementary affidavit has been filed on behalf of the

petitioner which is kept on record.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Mehsi P.S. Case No. 70 of 2015 for the offences instituted
under Sections 420 and 120(B) of the Indian Penal Code.

The prosecution case is that DFO, Motihari, wrote a
letter to the SHO of Mehsi Police Station requesting therein to
lodge a case against the petitioner as he is running his saw mill on

the basis of forged paper.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner has been made accused due to business dispute between the petitioner and the informant. A fake complaint was made by the informant before the Forest Officer alleging that the petitioner has been running a saw mill on the basis of fake affidavit. From perusal of Annexure-6 series, it is evident that the firm in question is a partnership firm where the name of the informant as well as the name of the petitioner is there and the licence has been given to the firm for running the saw mill by the forest department. The matter relates to business dispute

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Mehshi P.S. Case No. 70 of 2015 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran, Motihari, subject to the conditions

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

(Sudhir Singh, J)

B.Kr./-

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