

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35676 of 2016

Arising Out of PS.Case No. -2458 Year- 2009 Thana -BHOJPUR COMPLAINT CASE District-
BHOJPUR

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1. Dilip Kumar S/o Sri Ram Singh resident of Rajshila Apartment Rajapuri
Sheikhpura More Patna, P.S.- Shastri Nagar District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shivjee Singh S/o Ram Ashish Singh resident of village Pawana, P.S.
Pawana District Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 20-10-2016 Heard both sides.

The petitioner apprehends his arrest in Complaint Case
No. 2458(C)/2009, registered for the offences punishable under
Sections 420 and 34 of the Indian Penal Code.

The complainant alleged that petitioner took his room on
rent at the rate of Rs. 6,000/- per month. On 01.03.2008 the rent
was increased from Rs. 6,000/- to Rs. 6,500/-. The petitioner did
not pay the rent of the room and let out the room to Rajesh
Chaudhary who issued different cheques in order to pay the rent,
but the cheques were not honoured.

Learned counsel for the petitioner submits that the

petitioner is ready to pay the rent provided that the articles kept in that room be handed over to the petitioner.

Learned counsel for the complainant submits that if rent is paid, he is ready to compromise the case. On the face, it appears that the dispute arose due to non-payment of rent and the same is of purely civil in nature. Petitioner has not issued any cheque.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhojpur at Ara in connection with Complaint Case No. 2458(C)/2009, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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