

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57638 of 2015

Arising Out of PS.Case No. -1282 Year- 2005 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Ashok Kumar Singh Son of late Narayan Singh, Resident of Village- Barki
Karpurwa, Post - Sasaram, P.S. Darigaon, District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Malti Devi Wife of Shri Uday Singh, Resident of Mohalla- Takiya,
Ward No. 2, P.O. +P.S. - Sasaram, District Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subash Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar-I(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. 1282 of 2005, Trial No. 80 of 2015 registered
for offences punishable under Sections 406, 420, 504, 506 of the
Indian Penal Code.

The prosecution case, in brief, is that petitioner used to
keep his Engine, Generator, welding, Grill Machine with the
complainant. Petitioner also used to take money from the
complainant and returned back the same. On 20.06.2015,
petitioner sold his aforesaid machines to the complainant after

taking Rs. 20,000/- in cash and took the said machine on monthly rent of Rs. 1,200/- from the complainant, for which Kirayanama was also prepared. It is alleged by the complainant that on repeated request, petitioner refused to pay the rent of the said machine.

It has been submitted by the counsel for the petitioner that there is admittedly a money dispute and, as such, there is civil liability between the petitioner and the complainant. It has further been submitted that the matter relates to accounting from both the sides. It has further been submitted that the petitioner is ready to pay Rs. 3,000/- and negotiate with the complainant so that the dispute may be settled between them.

Under such circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of twelve weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-3, Sasaram, Rohtas in connection with Complaint Case No. 1282 of 2005, Trial No. 80 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

Petitioner is directed to deposit Rs. 3,000/- before the

court below within a period of two months from today, failing which the court below will be at liberty to cancel the bail bond of the petitioner without being prejudiced by this order.

(Nilu Agrawal, J.)

Arjun/-

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