

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4432 of 2017

Arising Out of PS.Case No. -242 Year- 2015 Thana -AGAMKUAN District- PATNA

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Ram Shankar Mahto @ Rama Shankar Maho, S/o Shri Ganga Prasad
Mahto, Resident of Village- Mabbi, P.S.- Rossera, P.O.- Mahuli, District-
Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Md. Mushtaque Alam, Advocate
Md. Humayou Ahmad Khan, Advocate

For the Opposite Party : Mr. Anil Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-02-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Agamkuan
P.S. Case No. 242 of 2015 instituted for the offence under
Sections 406 and 420 of the Indian Penal Code.

It has been submitted that it is totally a matter of
civil dispute. There is no document to support the statement of the
informant that he gave Rs.17,50,000/- in cash to the petitioner. It
has further been submitted that the receipt, which has been
enclosed, have been fabricated as it appears that contents have
been typed whereas signature has been made by pen.

There is no document in support of payment of



Rs.17,50,000/- to the petitioner made by the informant. The civil remedy is available to the informant for his grievance. In the circumstances, prayer of the petitioner for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Agamkuan P.S. Case No. 242 of 2015, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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