

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48177 of 2017

Arising Out of PS. Case No.-624 Year-2015 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Baljit Mahto Son of Late Ramnandan Mahto, R/o Village- Sasaula, P.S.-
Mejarganj, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mahendra Mahto, Son of Late Baijnath Mahto, R/o Village- Sasaula, P.S.-
Mejarganj, District- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar

For the Opposite Party/s : Mr. SRI ATUL CHANDRA

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 12-12-2017 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

The petitioner apprehends his arrest in connection with
Complaint Case No. C-1/624 of 2015 in which cognizance has
been taken under Sections 138 N. I. Act and Section 420 of the
Indian Penal Code.

From perusal of the impugned order it reveals that the
learned Sessions Judge has found that there is case and counter
case between the parties and the nature of dispute appears to be
of civil nature and accordingly, disposed of the prayer of pre-
arrest bail directing the petitioner to surrender and seek regular
bail.



After perusal of the complaint petition and after hearing the parties, I am also of the view that there is case and counter case in between the parties and the nature of dispute appears to be of civil nature. In the case lodged by the petitioner the complainant has been allowed bail and as such the petitioner above named, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate V, Sitamarhi in Complaint Case No. C-1/624 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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