

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3284 of 2017

Arising Out of PS.Case No. -1409 Year- 2011 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

Sunder Mahto @ Surendra Mahto, S/o Baidnath Mahto, R/o Village-
Nasriganj, Infront of Shankar Cold Store, P.S.- Digha, District- Patna

.... Petitioner

Versus

1. State of Bihar
2. Most. Suhailya Devi, W/o Late Nagendra Kumar @ Puttu Sah, R/o
Village-Mainpura, near LCT Ghat, Gate No.53, P.S.-Patliputra, Dist-
Patna

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Parties : Smt. Anusuiya Jaiswal (APP)

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-02-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Complaint
Case No. 1409 (C) of 2011 instituted for the offence under
Sections 406 and 423 of the Indian Penal Code.

It is alleged in the complaint that after death of the
husband of the complainant, this petitioner offered to take
vegetable shop of her late husband on the assurance that he will
pay Rs.1500/- per month for study of the children and Rs.1000/-
for the old parents-in-law of the complainant. It is further
submitted that one agreement was also prepared in this regard but
later on the petitioner did not act as per agreement and paid the



money. It is further alleged that petitioner assaulted the parents-in-law of the complainant.

Counsel for the petitioner has submitted that no any such agreement has been entered into between the parties and even if such agreement has been entered into then it will be a case of civil dispute and no criminal proceeding will lie.

Considering the nature of allegation in the complaint petition, 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 Complaint Case No. 1409 (C) of 2011, 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 Judicial Magistrate-1st Class, Patna, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

ravi/-

U		T	
---	--	---	--

