

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2545 of 2018

Arising Out of PS.Case No. -117 Year- 2017 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Ram Kumar Jha S/o Late Dhanshdhari Jha, R/o Village- Sudarpatti, P.S.-
Pakari Dayal, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukund Mohan Jha, Advocate

For the Opposite Party/s : Mr. Ram Bachan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 20-02-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in Pakari
Dayal P. S. Case No. 117 of 2017, registered for offences
punishable under Sections 341, 323, 504, 420 and 406/34 of the
Indian Penal Code.

The prosecution case as lodged on the basis of written
statement of informant is that petitioner, Ram Kumar Jha had
taken loan of Rs. 60,000/- in presence of witnesses for education
of his children and promised that he will re-pay the loan amount
within one month and the informant gave him loan on such
assurance but, subsequently, he refused to return the amount and



when the informant went to house of the petitioner, where he resides for re-payment of loan amount, he was abused and assaulted and threatened that he will be killed.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case and there is land dispute between the parties and the petitioner has already filed a petition under Section 144 of the Cr. P.C. in the Court of learned Sub Divisional Judicial Magistrate, Pakridayal. It is also submitted that the petitioner and the informant are on inimical terms and the petitioner has no criminal antecedents.

Having heard both sides and in view of the facts, as stated above, this application is allowed, let the petitioner, in the event of arrest or surrender before the Court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each in connection with Pakaridayal P.S.Case No. 117 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-V, Motihari, subject to condition as laid down under Sections 438 (2) of the Cr. P. C.

(S. Kumar, J)

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