

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1042 of 2018

Arising Out of PS.Case No. -1675 Year- 2015 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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Vinod Kumar @ Pappu son of Permanand Prasad, resident of village - Pakri
Dikshit, Tola - Bhagy Nagar, P.S. - Kalyanpur, District - East Champaran,
Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shambhu Sah son of Sri Ramadhar Sah, resident of village - Baishakhwa,
P.S. - Keshariya, P.O. - Rajepur, District - East Champaran, Motihari.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the State : Mr. Smt. Anusuiya Jaiswal, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**
ORAL ORDER

4 04-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State. No body appears on behalf of the
complainant opposite party no.2.

It is submitted by the learned counsel for the petitioner
that a pure civil dispute has been given a colour of criminal
offence. He submitted that the ingredients of the offences
punishable under Sections 406 and 420 of the Indian Penal Code
are not attracted and without application of judicial mind the
learned Magistrate has taken cognizance of the offences and
summoned the petitioner.

Considering the nature of offence and the submissions



made above, the provisional bail granted to the petitioner vide order dated 17.01.2018 is confirmed.

(Ashwani Kumar Singh, J)

Md.S./-

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