

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45142 of 2017

Arising Out of PS.Case No. -1317 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Navin Kumar Tiwary, S/o Shambhu Sharan Tiwary, R/o Village-
Rabhaur, Ward No.7, P.S.- Sursand, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajesh Vatshayan, S/o Arun Kumar Singh, Nili Escorts, Shanti Nagar,
P.S.- Dumra, Distt- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

For the Opposite Party/s : Mr. Binod Kumar 3, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 03-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Complaint Case No.
C-1/1317 of 2015 instituted for the offence under Sections 420 of
the IPC.

Learned counsel for the petitioner has submitted that
the allegation in the complaint is totally a civil dispute. There is
matter of accounting. The case was sent to Mediation Centre but
no proper account was given by the complainant. Therefore the
matter could not be resolved in the Mediation Centre.

From perusal of the complaint petition, this court finds
that it is a matter of pure civil dispute.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Complaint Case No. C-1/1317 of 2015 to the satisfaction of learned Judicial Magistrate 1st Class, Sitamarhi subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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