

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11170 of 2019

Arising Out of PS. Case No.-184 Year-2018 Thana- LODIPUR District- Bhagalpur

HARISH MANDAL Son of Late Changli Mandal Resident of Village - Jicho,
P.S.- Lodipur, Distt- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar Jha
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-02-2019 Heard both sides.

The petitioner apprehends his arrest in Lodipur P.S. case No. 184 of 2018 registered under Section 365, 420, 474, 467, 468, 471, 120B of the Indian Penal Code.

The informant lodged complaint case No. 686 of 2015 on the basis of which the present FIR was lodged. The informant in his complaint petition alleged that during the course of study he came acquainted with Kundan and later one with Raj @ Babul and Harish Mandal, the petitioner. The complainant further alleged that on 18.03.2015 Kundan called him to his house. Again on 22.03.2015 Kundan asked him to go to the house of Babul. All the accused persons were present there. Kundan took his thumb impression on different papers and forcibly took him to different places by Scorpio.

The learned counsel for the petitioner submits that, of course, the petitioner is named in the complaint petition but the complainant did not make any allegation against the petitioner. Kundan is said to have taken the signature of the complainant



on plain paper but it has nowhere been alleged that such plain paper was ever admitted to any valuable security.

Taking into consideration the fact that, of course, the petitioner is named in the complaint petition but the complaint did not make any sorts of allegation against the petitioner and the complaint petition was filed after much delay, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Lodipur P.S. Case No. 184 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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