

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12573 of 2020

Arising Out of PS. Case No.-1728 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Prahlad Mahto, S/o Late Thakur Mahto, R/o Mathlohiyar Ahir Toli, P.S.-
Harshidhi, District-East Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Suren Giri @ Surendra Giri, S/o Late Shankar Giri R/o Mathlohiyar Ahir
Toli, P.S.-Harshidhi, District-East Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Amit Kumar Rakesh, Advocate
For the State	:	Mr. Akshay Lal Pandit, APP
For the Complainant	:	Mr. Sanjay Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 08-07-2020 Heard Mr. Amit Kumar Rakesh, learned counsel for

the petitioner, Mr. Akshay Lal Pandit, learned counsel for the

State and Mr. Sanjay Kumar Pandey, learned counsel for the

complainant-opposite party no.2 via video conferencing.

By way of the present application, the petitioner
has sought for pre-arrest bail in connection with Complaint Case
No.C-1728 of 2018 in which cognizance has been taken for the
offences punishable under Sections 406 and 120 of the Indian
Penal Code.

Considering the nature of the offence, the
allegation made in the complaint and the ratio laid down by the
Supreme Court in **Murari Lal Gupta v. Gopi Singh** reported in



(2005) 13 SCC 699, since the dispute is predominantly civil in nature, the petitioner is directed to be released on bail in the event of his arrest or surrender in the court below on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, East Champaran, Motihari in connection with Complaint Case No.1728 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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