

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5415 of 2023

Arising Out of PS. Case No.-1255 Year-2019 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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1. Manoj Kumar S/O Kuldeep Prasad, Resident of Village- Bariyo, P.S.- Nardiganj, District- Nawada.
 2. Kuldeep Prasad @ Kaldeep Prasad S/O Late Prasad Mahto, Resident of Village- Bariyo, P.S.- Nardiganj, District- Nawada.

... .. Petitioners

Versus

1. The State of Bihar
2. Rajhansh Kumar, son of Ramkhilawan Prasad, Resident of Village- Bariyo, P.S.- Nardiganj, District- Nawada.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Complaint Case No. 1255 of 2019 registered for the offences punishable under Sections 323, 324, 326, 307, 406, 409 of the Indian Penal Code. They have got no criminal antecedent.

Learned counsel for the petitioners submits that the petitioners and the complainant both were working in a garment factory at Ludhiana. They are co-villagers and on some trivial issue which happened at Ludhiana, a dispute arose at Ludhiana but the complainant has filed the complaint case after his return to his



village. There is also some dispute over the payment to the complainant.

Learned APP for the State is present, however, this being a complaint case, in the nature of the disputes which appear to be in the nature of a petty dispute, this Court is of the opinion that the petitioners appear before the learned Magistrate in the court below within a period of eight weeks from today and file a surrender-cum-bail application which will be considered on the same day and the learned Magistrate shall pass an appropriate order on the same day keeping in view the nature of the disputes.

This Court makes it clear that only because this Court has directed the petitioners to appear in the court below and file surrender-cum-bail application, the court below shall not take a prejudicial view as if this Court was not inclined to grant privilege of anticipatory bail to the petitioners.

The learned Magistrate shall also keep in mind the judgment of the Hon'ble Supreme Court which is repeatedly saying that in the kind of matters which are petty in nature, the prayer for bail be considered liberally.

This application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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