

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45401 of 2022

Arising Out of PS. Case No.-18 Year-2021 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Mangal Sharma @ Mangaldeep Sharma, S/o Mahendra Sharma, Resident of
Village - Douka, P.S.- Chautham, District - Khagaria.

... .. Petitioner

Versus

1. The State of Bihar
2. Ajay Kumar Sharma, S/o Late Puran Sharma Resident of Village -
Sansarpur, P.s.- Khagaria (Muffasil), District - Khagaria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 11-04-2023 Heard Mr. Binod Kumar, learned counsel appearing

on behalf of the petitioner and Mr. Ram Naresh Ray, learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in
connection with Complain Case No. 18C/2021, for the offence
under Section 406 of the Indian Penal Code.

3. The prosecution case, in brief, is that accused
persons named in the compliant petition demanded ransom of
Rs. Two lakh from the complainant, but SHO of Chautham
Police Station refused to lodge F.I.R. then the complainant was
forced to file complaint before the Chief Judicial Magistrate,
Khagaria.

4. Learned counsel appearing on behalf of the



petitioner submitted that the allegations made in the complaint petition is not sustainable, rather, the O.P. No.2/complainant had demanded tractor on rent and the same was not favoured by the petitioner. The petitioner further informs that the complainant is his brother-in-law, who had sold the tractor to his father in law, however, the petitioner had deposited the loan amount on behalf of the complainant. It is also informed that both the parties have entered into the compromise and do not want to pursue the matter.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made in the complaint petition, the petitioner and the complainant are closely related with each other and now they have resolved the dispute amicably as informed by the learned counsel for the petitioner. I am of the opinion that petitioner has made out a case to be release on pre-arrest bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Khagaria in



connection with Complain Case No. 18C/2021, subject to the condition that petitioner must file affidavit before the learned Court below brining on record that parties have entered into the compromised, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Purnendu Singh, J)

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