

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9574 of 2025

Arising Out of PS. Case No.-460 Year-2023 Thana- CHHATAUNI District- East Champaran

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Pritam Kumar Dutta @ Pritam Kumar @ Pritam Dutta S/O Padip Dutta
Resident of - Gali no.- 3, Bengali colony, P.S- Chhatauni, Dist- East
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Uday Kumar Singh, S/O Late Ramchandra Singh R/O Vill- Asman Rai Tola
Chhatauni Bazar,Ps.- Chhatauni, Distt-East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Rathore
For the Opposite Party/s : Mr.Surendra Prasad Singh
Mr. Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 08-10-2025 Heard the learned counsel for the petitioner, learned
counsel for the State. None appears on behalf of the informant.

2. Learned counsel for the petitioner submits that the
allegation against the petitioner is of cheating the petitioner. The
petitioner has remained in custody for more than ten months and
he has been granted interim bail vide order dated 3.9.2025.

3. Learned counsel for the petitioner further submits
that in view of the Judgment of the Hon'ble Supreme Court in
the case of *Murari Lal Gupta Vs. Gopi Singh* reported in **2005**
13 SCC 699 the prosecution of the petitioner is not
maintainable.



4. Considering the dispute between the parties and the fact that the informant has chosen not to appear in support of his claim and the period for which the petitioner has already gone under custody, this application is allowed and the provisional bail granted to the petitioner vide order dated 3.9.2025 is hereby confirmed.

5. The petitioner will remain on the same bail bonds as furnished by him at the time of grant of provisional bail.

(Sandeep Kumar, J)

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