

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53113 of 2024

Arising Out of PS. Case No.-40 Year-2023 Thana- SAHARSA COMPLAINT CASE District-
Saharsa

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1. Maharaj Jha Son of Late Mahadeo Jha
 2. Kaushal Kumar Jha @ Koushal Kumar Son of Maharaj Jha
Both are Resident of Village - Ekparha, Chakmaro, Ward No.- 10, P.S.-
Simri Bakhtiarpur, District - Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Setha Jha Son of Late Mahadev Jha Resident of Village - Ekparha,
Chakmaro, Ward No.- 10, P.S.- Simri Bakhtiarpur, District - Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms.Rashmi Jha, Advocate
For the Opposite Party/s	:	Mr.Rabindra Kumar, APP
For the O.P. No.2	:	Mr. Mritunjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 22-01-2025 Heard Ms. Rashmi Jha, learned counsel appearing

on behalf of the petitioners; Mr. Rabindra Kumar, learned APP

for the State and Mr. Mritunjay Kumar, learned counsel for the

O.P. No.2.

2. The petitioners seek pre-arrest bail in connection
with Complaint Case No. 40C/2023 registered for the
offence(s) punishable under Sections 120B, 323, 420, 504 and
406 of the Indian Penal Code.

3. As per the allegation made in the complaint
petition, petitioner no.2 met with an accident and for his
treatment, petitioner no.1 borrowed Rs.80,000/- from the



complainant but the petitioners are not returning the aforesaid amount to the complainant.

4. Learned counsel appearing on behalf of the petitioners, on instructions, submitted that petitioners are ready to resolve the dispute with the opposite party no.2, who is own brother of petitioner no.1 and uncle of petitioner no.2.

5. Mr. Mritunjay Kumar, learned counsel has tendered his appearance on behalf of the opposite party no.2 and he too agrees to negotiate with the petitioners in amicable manner, so that both the parties can buy peace of mind.

6. Learned APP finds that the matter is purely civil in nature.

7. Having considered the desire of the parties, who want to resolve the dispute amicably, this Court finds that petitioners should honour their words. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saharsa in connection with Complaint Case No. 40C/2023, subject to the conditions



as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

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