

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57808 of 2024

Arising Out of PS. Case No.-1978 Year-2023 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. Narmdeshwar Mishra Son of Late Rambachan Mishra Village- ITI Gali No. 4, P.S.- Bettiah Muffasil, Dist.- West Champaran
 2. Mohit Mishra @ Mohit Kumar Mishra Son of Narmdeshwar Mishra Village- ITI Gali No. 4, P.S.- Bettiah Muffasil, Dist.- West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Neeraj Kumar @ Rinku Son of Arvind Prasad Resident of Vill.- Madhuri, P.S.- Purushottampur, Dist.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kant Mani Tripathi, Adv.
For the Opposite Party/s : Mr. Manoj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-01-2026 Heard the parties.

2. The petitioners are named in the complaint case and apprehending their arrest in connection with Complaint Case No. 1978 of 2023 registered for the offences punishable under Sections 352, 406, 504, 506/34 of IPC.

3. As per complaint, complainant was working as a sale representative with the showroom of petitioner namely M/s Mohit Enterprises, where the commission of



complainant was claimed as Rs. 14,40,000/- but only Rs. 4 lakh was paid to him and therefore it is alleged that complainant was cheated by this petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the dispute, primarily appears civil in nature as same is regarding claim of commission. It is pointed out that as petitioners lodged complaint case against all three witnesses of the present complaint case therefore making complainant instrumental present false case was lodged. Explaining criminal antecedents it is submitted that both petitioners found involved in two more criminal cases of petty nature arising out of family dispute.

5. Learned APP opposes the prayer of bail.

6. Notice as issued by this Court was received by son of O.P. No. 2, accordingly, it appears validly served upon.

7. Despite of service of notice none appeared on behalf of O.P. No.2.



8. In view of aforesaid factual submissions and by taking note of fact as dispute primarily appears civil in nature qua recovery of commission arising out of business deal, where parties appears in inimical terms as discussed aforesaid out of master and servant relation, accordingly both above-named petitioner, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned JM 1st Class, Bettiah, West Champaran /concerned Court, where the case is pending in connection with Complaint Case No. 1978 of 2023, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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