

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5342 of 2015

Arising Out of PS.Case No. -1598 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

- =====
1. Shiv Narayan Sah S/O Late Bhajan Sah
 2. Chhotu Kumar Mishra S/O Late Mangal Mishra
 3. Sachindra Kishore Mishra S/O Late Shivdhari Mishra
 4. Ravindra Sah S/O Mishri Sah All are Resident of vill-Sonevarsha, P.O-Sherharwa Masjid, P.S-Madhiyaria, Distt.-West Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Md.Nizam S/O Md.Ushman Resident of mohalla- Madipur, I.B.Road, P.S-Kazi Muhammadpur, Distt.- Muzaffarpur

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Radha Mohan Pathak, Advocate.
For the Opposite Party/s : Mr. Md.Ansarul Haque (App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 09-02-2015 Heard both sides.

The petitioners apprehend their arrest in Complaint Case No. 1598 of 2014, corresponding to Trial No. 1819 of 2014, registered for the offences punishable under Sections 147, 323, 504, 379 and 384 of the Indian Penal Code.

The informant alleged that while he was going to report his master Dr. Himanshu Kumar Sinha in S.K.M.C.H., Muzaffarpur all the accused persons snatched his belongings and assaulted him with fists and slaps.

Learned counsel for the petitioners submits that the allegations are false and concocted. Prior to institution of the case, the

petitioners filed Title Suit No. 166/2014 for specific performance of contract against Srimati Anita Kumari Verma the wife of Dr. Himanshu Kumar Sinha. The complainant is the driver of Dr. Himanshu Kumar Sinha. Srimati Anita Kumari Verma had taken money for execution of sale deed, but she is not executing the same and for that the petitioner lodged the suit for specific performance of contract.

It appears that there is a dispute between the parties. The petitioners had filed Title Suit No. 166 of 2014 for specific performance contract against Srimati Anita Kumari Verma. The complainant is the driver of the husband of Srimati Anita Kumari Verma.

Considering the facts aforesaid, the petitioners, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Complaint Case No. 1598 of 2014, corresponding to Trial No. 1819 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--