

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11485 of 2015

Arising Out of PS.Case No. -134 Year- 2013 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Uma Shankar Thakur
2. Subodh Thakur Both sons of late Ram Bahadur Thakur
3. Barun Kumar son of Sri Uma Shankar Thakur
4. Rajeev Thakur @ Rajeev Kumar son of Sri Madan Thakur All resident of
village - Gorgawan, Police Station - Kundwa Chainpur, District - East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 27-04-2015 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Kundwa Chainpur P.S. Case No. 134 of 2013 registered for the
offence under Sections-406, 409, 506/34 of the Indian Penal Code.

The accusation against the petitioner Nos. 1 & 2 is
that they took huge amount from the informant, who happens to be
own sister of above-said petitioners and so far as petitioner Nos. 3
& 4 are concerned; it is alleged that they threatened the informant
when she demanded her money from petitioner Nos. 1 & 2.

The contention on behalf of the petitioners is that
the informant's husband had taken some articles on credit from

petitioner Nos. 1 & 2 and when the dues amount was demanded by the petitioner Nos. 1 & 2, the informant lodged this false case against the petitioners. To fortify the above-said contention, he drew my attention towards Annexure-2 series. It is further contended by him that police after due investigation, submitted final form showing insufficient evidence against the petitioners, which is evident from perusal of Annexure-3 to this petition. It is also pointed out by him that the learned court below without taking note of the aforesaid fact, took cognizance differing with the findings of the police.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioners named above, in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Kundwa Chainpur P.S. Case No. 134 of 2013 to the satisfaction of Sri S. K. Mishra, J. M. Sikarhana at Motihari, East Champaran subject to conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

A.K.V./-

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