

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32813 of 2014

Arising Out of PS.Case No. -1983 Year- 2012 Thana -COMPLAINT CASE District- BANKA

- =====
1. Gautam Singh @ Goutam Singh Son of Binod Singh
 2. Binod Singh Son of Late Akhleswari Singh Both are resident of village - Dubba, P.S. Belhar, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. Shailendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-02-2015

Heard both sides.

The petitioners apprehend their arrest in complaint case no. 1983 of 2012 registered under section 379 and other allied sections of the Indian Penal Code.

The informant Nepali Turi made allegation that the petitioners called him by naming his cast and also assaulted the complainant. It is submitted that after filing the complaint petition, learned Judicial Magistrate Called for a report from the police and the police submitted a report finding the case false. Thereafter inquiry was held and the learned Judicial Magistrate found prima facie case under section 379 and other allied sections of the I.P.C.

It is submitted by the learned counsel for the petitioners that no such occurrence has taken place and this case has been instituted at the instance of one Subhash Singh with whom the petitioners have land dispute. It is also submitted that a proceeding under section 107 Cr.P.C. was also going on between the petitioner and Subhash Singh .

Considering the aforesaid facts , the above named 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) with two sureties of like amount each to the satisfaction of C.J.M, Banka in Complaint Case No. 1983 of 2012, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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