

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25322 of 2013

Arising Out of PS.Case No. -354 Year- 2012 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Kailash Chaudhary @ Kailash Son Of Late Kishun Dayal Chaudhary Resident Of Kailash Nagar, Ward No. 7, P.S.- Bagaha, District- West Champaran
 2. Birendra Chaudhary Son Of Kailash Chaudhary Resident Of Kailash Nagar, Ward No. 7, P.S.- Bagaha, District- West Champaran
 3. Rambachan Chaudhary Son Of Late Kishun Dayal Chaudhary Resident Of Kailash Nagar, Ward No. 7, P.S.- Bagaha, District- West Champaran
 4. Bachi Devi Wife Of Kailash Chaudhary Resident Of Kailash Nagar, Ward No. 7, P.S.- Bagaha, District- West Champaran

.... Petitioner/s

Versus

1. The State Of Bihar
2. Krishna Prasad, S/o late Sundar Sah, R/o Kailash Nagar, Ward No. 7, P.S.- Bagaha, West Champaran

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. B.K. Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar (APP)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 05-02-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 323, 420 of the Indian Penal Code.

It is alleged that the complainant gave Rs. 80,000/- to the petitioners for transfer of a land. Neither the land was transferred nor the money was returned to the complainant. When the complainant requested the petitioners to either get

the sale deed registered or return the money, then the petitioners demanded Rs. 50,000/- as extortion.

Notices were issued to the complainant/ opposite party no. 2 on 18.09.2013. The notices on behalf of opposite party no. 2 was received by his cousin, but in spite of that none appeared, then vide order dated 23.01.2015 the notices were treated to be deemed service. Today also none appears on behalf of the complainant/opposite party no. 2.

It is submitted by the learned counsel for the petitioners that there is no proof with regard to payment to the petitioners. Statement has been made in para-3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bagaha, West Champaran in connection with Complaint Case No. 354 of 2012, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

P.K./-

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