

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36757 of 2015

Arising Out of PS.Case No. -1459 Year- 2013 Thana -COMPLAINT CASE District- KISANGANJ

- =====
1. Sanjay Kumar S/o Late Gamak Lal Harijan
 2. Ajay Kumar S/o Late Gamak Lal Harijan
 3. Bijay KUMar S/o Late Gamak Lal Harijan

All are resident of Baghmara, Chahatpur, P.S. Garbandanga, District -
Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Raj Kumar Ray S/o Bachha Lal Rai resident of Parlabari, P.S.
Paharkatta, District - Kishanganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Arun Kumar Singh 5 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 10-09-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 341 and 379/34 of the Indian Penal Code.

It is alleged that when the complainant went to the in-laws house of his sister he found that his sister was being assaulted by the petitioners when the complainant made protest then he was also being assaulted and his motorcycle and Rs.8,500/- was snatched.

It is submitted by learned counsel for the petitioners that the accusation appears to be frivolous in the background that the sister of the complainant filed Complaint Case No. 874C of 2013 making accusation under Section 498A of the IPC, hence, the question of the complainant's sister residing at the petitioners' place does not arise. The complainant is the brother-in-law (Sala) of petitioner no. 1 and petitioner no. 1 lodged a case at earlier point of time being Complaint Case No. 865 of 2013 making accusation under Sections 323, 341, 147, 379 and 384/34 of the Indian Penal Code.

Considering the nature of accusation levelled in the background of litigated relationship between the parties from before, let the above named petitioners be released on anticipatory bail in the event of their 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) each with two sureties of the like amount each to the

satisfaction of learned Chief Judicial Magistrate, Kishanganj
in connection with Complaint Case No. 1459C of 2013, subject
to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

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