

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38286 of 2015

Arising Out of PS.Case No. -2029 Year- 2013 Thana -BHOJPUR COMPLAINT CASE District-
BHOJPUR

- =====
1. Ajay Kumar S/o Ramjee Singh
 2. Ramjee Singh S/o late Lala Singh.
- Both R/o Village- Molanachak, P.S.- Udwantnagar, District-
Bhojpur(Ara).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Santosh Kumar S/o Shivadhar Yadav, R/o Vill- Moulana Chak, P.S.-
Udwant Nagar, District- Bhojpur.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioners and the
State.

The petitioners are apprehending their arrest in a
complaint-cum-protest petition wherein processes have been
directed to be issued after cognizance being taken for the
offences punishable under Sections 302, 201/34.

The prosecution case is that the accused persons
took away the grand mother of the informant to get her
old age pension but thereafter killed her and disposed off
her dead body.



It is submitted by the learned counsel for the petitioners that the grand mother of the complainant died on 22.09.2012 for which the complaint was filed on 22.12.2012, which came to be registered as police case on 06.02.2013. During investigation the accusation was found false and final form was submitted on acceptance of Final Form the matter proceeded on protest and consequently order of cognizance was passed. The lady in question was issueless and was not directly related to the complainant. Subsequently, the lady executed Power of Attorney in favour of Ramayan Singh and from Ramayan Singh, petitioner no. 2 namely Ramjee Singh purchased several lands for which P.L. Case No. 173 of 2012 was filed before the Lok Adalat and subsequently Title Suit was also filed by the father of the complainant being Title Suit No. 1035 of 2012 wherein the petitioner no. 2 is defendant. The victim died natural death.

Considering delayed lodging of the case, accusation being found false during investigation and accusation levelled in the background of litigated relation between the parties, and there is no direct evidence, let the above named petitioners be released on 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 Smt. Divya

Jayasabal, Judicial Magistrate, Bhojpur, Ara in connection with
Complaint Case No. 2029C of 2013, subject to conditions as
laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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