

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.29389 of 2015**

Arising Out of PS.Case No. -2018 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

- =====
1. Md. Mahmood Son of late Jainuddin@Sk Jumman Ali
  2. Md. Azeem son of late Sakuruddin both resident of Village chakai, P.s Jokihat, District Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Mostt. Saheda wife of late malauddin R/village- Chakai P.s Jokihat, District Araria.

.... .... Opposite Party/s

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

2      28-07-2015      Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State as also heard learned counsel, appearing for the complainant.

Petitioners apprehend their arrest in connection with Complaint Case No. 2018C of 2013 registered under Sections-420, 403, 120-B of the Indian Penal Code.

The contention on behalf of the petitioners is that present case has been lodged on 21-06-2013 and much prior to institution of the present case, a proceeding u/S 107 of the Cr. P.C. was initiated between sons of complainant as well as petitioners and moreover, nephew of one of the petitioners, lodged criminal case against the sons of the complainant prior to institution of the present case. It is further pointed out by him that according to complaint case

itself, the first amount was withdrawn in the year, 2011 and between 2001 and the institution of the present case, almost four times, the amounts were withdrawn but the complainant never made any complaint before any authorities.

Learned counsel, appearing for the complainant opposed the prayer, submitting that the complainant is an illiterate lady and she does not have any concern with her sons.

Considering the aforesaid facts and circumstances as well as submission of the parties, 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, let the petitioner named above, 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 Complaint Case No. 2018C of 2013 to the satisfaction of Sri Kumar Gunjan, Judicial Magistrate-Ist Class, Araria 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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