

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25775 of 2015

Arising Out of PS.Case No. -2602 Year- 2014 Thana -SARAN COMPLAINT CASE District-
SARAN

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Manoj Kumar s/o late Gulab Chand Prasad, resident of Mohalla- East
Dahiyawan (Butanbari) P.O. Chapra, P.S. Chapra Town, District- Saran.

.... Petitioner/s

Versus

1.State of Bihar

2. Sandip Kumar s/o late Gulab Chand Pd.

Resident of Mohalla- East Dahiyawan (Butanbari), P.O.Chapra, P.S.
Chapra Town,District- Saran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Sunil Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 420, 467, 468, 471 and 504 of the Indian Penal Code.

The allegation is that the complainant and petitioner being full brothers were running jewelery shop after death of their father in Ganga Ram Hosptial, New Delhi but later on the petitioner got issued another death certificate of his father on the basis of which he also got another Vat No. of the shop and became sole proprietor of the shop with intention to grab the shop of joint family property.

On behalf of the petitioner, it has been submitted that the petitioner has falsely been implicated in the present case. It is further submitted that the property, in question, is being the exclusive property of the petitioner though the opposite party disputes that it is a joint family property and in respect to that Partition Suit is also pending in the court below. On behalf of the

petitioner it is further submitted that he is ready to deposit an amount of Rs. 50,000/- in the court below within a period of ten weeks, which shall be subject to final disposal of the case.

On behalf of the State, it has been submitted that the petitioner is named in the complaint petition.

Considering the aforesaid facts, the above named petitioner is directed to deposit an amount of Rs. 50,000/- in the court below within a period of ten weeks, and on doing so, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Arbind, Judicial Magistrate, Chapra, in connection with Complaint Case No. 2602 of 2014, Trial no. 4889 of 2015), subject to the conditions as laid down u/s 438(2) Cr.P.C.

However, it is observed that the complainant, if so advised, may take necessary steps for expediting the trial of the case.

(Sudhir Singh, J)

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