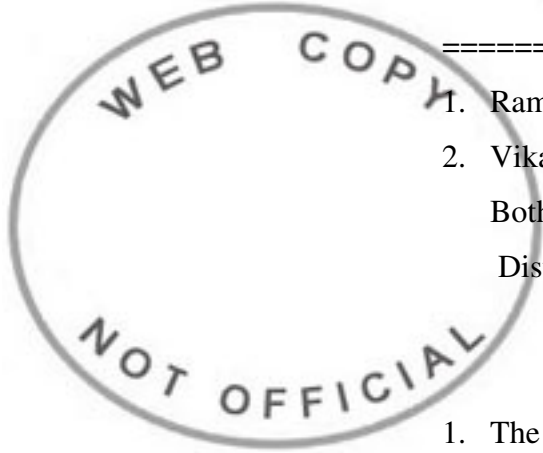


IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38797 of 2015

Arising Out of PS.Case No. -971 Year- 2014 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD



- =====
1. Ramsingar Yadav, Son of Late Arjun Yadav,
 2. Vikash Kumar Yadav Son of Ramsingar Yadav
- Both resident of Mohalla- Youdha Nagar P.S- Aurangabad Town
District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Lalan Kumar S/o Late Gopal Mehta R/o Mohalla Shahpur P.S.
Aurangabad Town Dist Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Gulnar Begum(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 29-09-2015

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, 379 and 384/34 of the Indian Penal Code.

The prosecution case is that the accused persons came to the house of the complainant on 27.11.2014 and

made assault to the wife of the complainant. Petitioner no. 2 Vikash Kumar Yadav pressed the neck of the wife of the complainant and took out gold chain worth Rs.50,000/-. They demanded extortion of rupees five lakhs and announced that they will not return rupees six lakhs taken as advance for transfer of land.

It is submitted by learned counsel for the petitioners that much prior to the filing of the present complaint the complainant entered into an agreement with petitioner no. 1 for transfer of a piece of land and in lieu thereof the petitioner no. 1 gave advance of rupees five lakhs to the complainant, but when the sale deed was not executed petitioner no. 1 filed Complaint Case No. 959 of 2014 which came to registered as Aurangabad Town P.S. Case No. 01 of 2015 and after filing of the complainant by the petitioners' side the present complaint was filed. Hence, in the background of land dispute the accusation has been levelled.

Considering the aforesaid facts, 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, Aurangabad in connection with Complaint Case No. 971 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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