

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52972 of 2015

Arising Out of PS.Case No. -89 Year- 2015 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sushil Kumar @ Sushil Prasad
 2. Sunil Kumar @ Sunil Kumar Both are sons of Late Rajeshwar Prasad
 3. Sumit Kumar @ Sumit Prasad son of Sushil Prasad All are resident of village- Ramgarhwa Bazar, P.S.- Ramgarhwa, Dist.- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 16-12-2015

Heard the parties.

The petitioners apprehend their arrest in connection with Ramgarhwa P.S. Case No. 89 of 2015 for the offences punishable under Sections 341, 323, 427, 420 and 406/34 of the Indian Penal Code.

The allegation against the petitioners is of non-return of Rs. 2,00,000/- advanced by the informant for purchase of land. It is the allegation that the said money was advanced for the land but when it was known to him that the land is litigated that he asked for return which was refused.

Mr. Rakesh Kumar, learned counsel for the petitioners with reference to the FIR placed at Annexure-2

submits that the present case is a retaliation to the case instituted by the petitioners against the brother of the informant who had relieved the petitioners of Rs. 1,00,000/-

Having heard learned counsel for the parties and considering the submissions advanced by the learned counsel as well as the circumstances existing, let the petitioners, namely, (1) Sushil Kumar @ Sushil Prasad; (2) Sunil Kumar @ Sunil Prasad; and (3) Sumit Kumar @ Sumit Prasad in the event of their arrest or surrender within four weeks from today be released on bail upon each of them furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran and/or the court concerned in connection with Ramgarhwa P.S. Case No. 89 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

S.Sb/-

(Jyoti Saran, J)

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