

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12092 of 2016

Arising Out of PS.Case No. -349 Year- 2015 Thana -SHEKHPURA COMPLAINT CASE District-
SEKHPURA

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1. Shikha Devi, Wife of Ahok Kumar Suman
2. Sarwan Kumar, Son of Late Hari Prasad Both Resident of Village and P.O. Kurmichak, P.S. Ghoshwari, District- Patna presently resident of Mohalla Ghondipar, Patel Sewa Sadan, Makan, Ward no. 6, P.O + P.S. Barh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arvind Prasad, Son of Sri Ayodhya Prasad, resident of Village- Dayanandchak, P.O. Mallichak, P.S. Barbiga, District- Sekhpura, at present resident of Mohalla- Sikshak Colony, Bangalipar, P.O + P.S. Shekhpura, District- Shekhpura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Md.Arif(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 17-03-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with Complaint Case No. 349C of 2015 registered under Sections 406, 420, 468 and 120-B of the Indian Penal Code.

It has been contended by the learned counsel for the petitioners that the case arises out of a complaint and the dispute, if any, is of civil nature and no criminal case is made out against the petitioners. It has further been contended that though the complainant is said to have made payment on 05.11.2010, in her

statement made on oath, the she has not even taken the name of the person to whom she had handed over the money.

Be that as it may, regard being had to the nature of allegation and inordinate delay of about five years in filing the complaint, in the event of arrest or surrender before the court below within six weeks from today, the petitioners, namely, Shikha Devi and Sarwan Kumar are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Sheikhpura in connection with Complaint Case No. 349C of 2015, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/-

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