

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31695 of 2016**

Arising Out of PS.Case No. -98 Year- 2016 Thana -BIRAUL District- DARBHANGA

- =====
1. Ram Kumar Choudhary @ Banarsi Son of late Jamun Chaudhary
  2. Ram Bilash Choudhary Son of late Jamun Choudhary
  3. Babu Saheb Choudhary Son of Ram Bilash Choudhary
  4. Radha Krishna Choudhary Son of Ram Bilas Choudhary All resident of Village- Pokhram, P.S Biraul, District Darbhanga.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.

For the Opposite Party/s : Mr. Madhuranand Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**

**ORAL ORDER**

3      16-11-2016      Heard both sides.

The petitioners no. 2 to 4 apprehend their arrest in Biraul P.S. Case No. 98/2016, registered for the offences punishable under Sections 354, 386, 406 and other sections of the Indian Penal Code.

The informant alleged that Kanhaiya Choudhary son of Ram Kumar Choudhary @ Banarsi and her son Suman Radheyshyam Jha were working in Mumbai. Kanhaiya Choudhary took Rs. 3,00,000/- for six months to run his business from her son, but Kanhaiya Choudhary did not return the money. The son of the informant returned to his house. The accused persons hatched up a conspiracy and when the informant and her son went to see her ailing father, the petitioners forcibly took the informant

and her son to their house and took the signature of the son of the informant on different papers and also took money.

Learned counsel for the petitioners submits that no chit of paper is submitted on behalf of the informant to show that Kanhaiya Choudhary son of petitioner no. 1 took any money from Suman Radheyshyam Jha son of the informant. The true fact is that son of the informant had taken money from Kanhaiya Choudhary and he did not want to return the same that is why this false case has been lodged.

It appears that there is some dispute between the parties with regard to payment and re-payment of borrowed money.

Considering the facts aforesaid, the petitioners no. 2 to 4 above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Biraul, Darbhanga in connection with Biraul P.S. Case No. 98/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

Vinita/-

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