

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58119 of 2015

Arising Out of PS.Case No. -185 Year- 2012 Thana -SAUR BAZAR District- SAHARSA

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1. Sanjay Singh @ Sanjay Prasad Singh son of Late Kameshwar Prasad Singh resident of village- Dhabauli, P.S.- Sour Bajar District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Singh

For the Opposite Party/s : Mr. Rajendra Nath Jha(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 07-01-2016 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sour Bazar P.S. Case No. 185 of 2012 registered for offences punishable under Sections 406/420/504 of the Indian Penal Code.

The prosecution case is that one complaint was registered by Smt. Mala Singh daughter of Late Kameshwar Prasad Singh resident of village-Dhabauli, P.S. Saurbazar, O.P., Patarghat District Saharsa who happens to be full sister of the petitioner, registering a criminal case against the named accused Sri Tarun Prasad Singh alleging therein that Sri Tarun Prasad Singh is full brother of the informant whereas petitioner is younger brother. It was stated in the First Information Report that the informant is married in village Baherba and the husband of the informant



works in Mumbai as such the informant used to reside in Mumbai itself. It was alleged that since she has small accommodation in her village and in Mumbai, as such, he has given a Trunk (Box) to Sri Tarun Prasad Singh in which there is precious jewellery and clothes whose list was given in the F.I.R. It was stated that the length of Box was 6 feet and 3 feet wide which was closed by two locks. It was alleged that when the informant demanded Trunk the petitioner and accused asked her to come home where she will be delivered her Trunk. It was stated further that when she came at her parental home then her brother told that there is marriage of his daughter on 08.06.2013 as such he will give the Trunk after marriage. Again when she demanded her Trunk Box on 11.06.2013 then her elder brother kicked son of the informant and told that they have not received her Trunk. When the informant narrated all this story to the family members and others then all of them told accused Tarun Prasad Singh to return her Trunk. It was alleged that the villagers even told that in case he will not return the Trunk then they will bycott them from the society with the allegation of stealing property of sisters. It was alleged that thereafter accused Tarun Prasad Singh threatened to implicate her in false case and further abused the informant.

It has been submitted by the counsel for the petitioner that

the informant alleged that she had kept the box with her elder brother Tarun Prasad Singh and the petitioner is another full brother of the informant. No specific allegation has been levelled against this petitioner. It has further been submitted that Tarun Prasad Singh, another full brother of the informant has already been granted the privilege of anticipatory bail against whom the allegation has been made by the informant in Cr. Misc. No. 39679 of 2012 dated 08.10.2013.

Be that as it may, let the abovenamed petitioner in the event of his arrest / surrender within a period of six weeks from today before the Court below be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Sourbazar P.S. Case No. 185/2012 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Nilu Agrawal, J)

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