

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46310 of 2016

Arising Out of PS.Case No. -55 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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1. Dinesh Bhagat, Son of Suryadeo Bhagat, Resident of village – Malagali Aam Gola, P.S. Kazi Mohammadpur, District – Muzaffarpur.
 2. Shashi Bushan Kumar @ Shashi Bhushan Kumar, Son of Late Nageshwar Prasad, Resident of village – Pankha Toli, Aamgola, P.S. – Kazi Mohammadpur, District – Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar

For the Opposite Party/s : Mr. Sri Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 22-10-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420, 468, 471 and 120B of the Indian Penal Code.

The prosecution case as per the informant Afzal Hussain is that Shop No. F-21 situated in Bazar Samittee Campus, Muzaffarpur was allotted in the name of Sri Bishwanath Prasad. The informant was doing business in

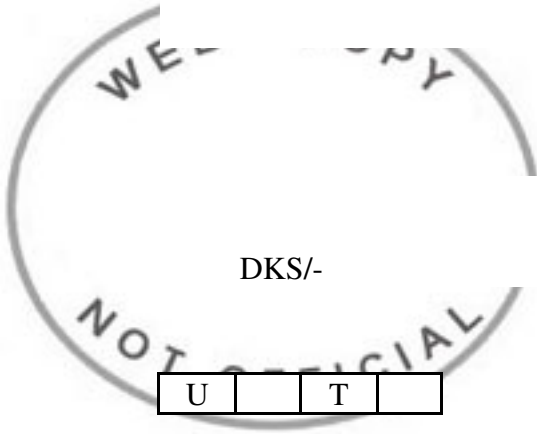


partnership with Bishwanath Prasad since 2009. The partnership deed was filed before the Special Officer, Bazar Samittee, Muzaffarpur but the accused persons under conspiracy took signature of the informant and created a document to the effect that the partnership firm stands dissolved and started spreading rumors in the Bazar Samittee which harmed the business and goodwill of the informant.

It is submitted by learned counsel for the petitioners that the shop was allotted in the name of Bishwanath Prasad and after his death the shop was transferred in the name of Pushpalata Devi, the wife of Bishwanath Prasad. Petitioner no. 1 is the staff of Pushpalata Devi and petitioner no. 2 is the son-in-law of Pushpalata Devi, hence, maliciously the accusation has been levelled.

Considering the accusation in the background of contractual dispute, let the above named petitioners be released on anticipatory bail, in the event of 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, Muzaffarpur in connection with Ahiyapur P.S. Case

No. 55 of 2015, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.



DKS/-

(Dinesh Kumar Singh, J)

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