

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9445 of 2016

Arising Out of PS.Case No. -3434 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

1. Anil Kumar Son of Sri Mohan Sao.
2. Smt. Sarita Kumari, @ Sarita Devi Wife of Sri Anil Kumar, Both residents of Mohalla- Jay Prakash Nagar, Gaya Line Road, Police Station- Jakkanpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shree Mohan Sao son of Late Laljee Sao, resident of Village- Jai Prakash Nagar, Gaya Line Road, P.S. Jakkanpur, District- Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Kishun Prasad

For the Opposite Party/s : Mr. Jitendra Kumar Roy 1 (APP)

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 28-04-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case no. 3434 of 2015 registered under Sections 323, 341, 380, 427, 504 and 506 of the Indian Penal Code.

The prosecution case is that the petitioners, son and daughter-in-law of the complainant Mohan Sao, entered in the house of the complainant and both petitioners, husband and wife, abused and assaulted him. Thereafter, petitioner no.1 Anil Kumar pressed his chest, in the meantime, Rabindra Kumar and Sunil Kumar other sons of the complainant came and saved him. In that course, petitioner no.2 entered in the room of the complainant and

took out cash Rs. 41,000/- and ornaments worth of Rs. 2,00,000/- by breaking open the box and also damaged the television and other house hold articles. It is further alleged that his younger son Ranjeet Kumar, who is mentally not fit, used to live with him was also assaulted by them.

Learned counsel appearing on behalf of the petitioners submits that petitioner no.1 and 2 are respectively son and daughter-in-law of the complainant and due to land dispute, petitioners have falsely been implicated in this case. Further, submission is that it would appear from the complaint petition itself that while the allegation has been made to cause injury by the petitioners but no visible injury is found on the person of the complainant.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Patna in connection with Complaint Case No. 3434 of 2015, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Shail/-

U		T	
---	--	---	--

(Rajendra Kumar Mishra, J)