

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10256 of 2016

Arising Out of PS.Case No. -67 Year- 2014 Thana -KANTI District- MUZAFFARPUR

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1. Usha Devi W/o Ram Chandra Thakur
 2. Manohar Kumar S/o Ram Chandra Thakur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Santosh Kumar S/o Parikshan Sah

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Binod Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

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

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 406, 420 and 120B/34 of the Indian Penal Code.

Prosecution case is that the nephew of the informant namely Arjun Kumar was working in furniture shop of petitioner no.2 Manohar Kumar at Hyderabad but he was not paid the wages for eight months. In the meantime, the nephew of the informant and petitioner no.2 Manohar Kumar were arrested in a criminal case when Chandan Kumar, Ram Chandra Thakur and



Usha Devi petitioner no.1 asked the informant for Rs.30,000/- as expenses for the litigation when Rs.29,000/- was sent by the informant through the account of one Mirtunjay Kumar on 9.04.2013. Subsequently, petitioner no.2 was released but the nephew of the informant was not released. Thereafter, the informant went to Hyderabad and demanded his money but the money was not returned by the accused persons.

It is submitted by learned counsel for the petitioners that there is nothing on record to show that actually the money was given to the petitioners or petitioner no.1 persuaded the informant to transfer the money. As per own admission of the informant, the money was transferred to the account of one Mirtunjay Kumar. At earlier point of time, petitioner no.2 filed Complaint Case No.4855/2013 levelling accusation under sections 381, 403, 406, 506 read with section 107 of the IPC against the informant Santosh Kumar and Arjun Sah. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the nature of accusation, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten

thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Muzaffarpur in connection with Kanti P.S. Case No.67/2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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