

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2249 of 2016

Arising Out of PS.Case No. -303 Year- 2015 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

- =====
1. Ratnesh Kumar @ Ratnesh Kumar Yadav, S/o Late Nand Kishore Yadav @ Chandra Kishore Yadav, Village- Bhaini
 2. Sandip Kumar @ Sanjeeb Jha, S/o Late Bir Narayan Jha, Village- Digghi.
 3. Shyam Yadav, S/o Sirflal Yadav Village- Digghi,
All, P.S.- Murliganj, District- Madhepura.

.... Petitioners

Versus

1. The State of Bihar
2. Amit Kumar S/o Surendra Prasad Yadav R/o Tilkora, P.S.- Murliganj,
Distt- Madhepura.

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Sanjay Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Singh Shastrijee , APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

4 11-04-2016 Heard learned counsel for the petitioners, learned

counsel for the State and learned counsel for opposite party no.

2.

The petitioners seek pre-arrest bail in connection with

Complaint Case No. 303 of 2015 in which cognizance has been

taken under Sections 323, 342, 384, 386, 149 and 120-B of the

Indian Penal Code.

It is contended that for an occurrence which is said to

have taken place on 21.05.2015, no action was taken either under Section 154(1) or under Section 154(3) of the Code of Criminal Procedure and a false and fabricated complaint was filed in the court on 25.05.2015. It is further contended that the petitioners have got no criminal antecedent whereas the complainant has cheated several persons of the locality in the name of procurement of land and construction of building at Bhagalpur.

On the other hand, learned counsel for opposite party no. 2 has contended that the victim was kidnapped and recovered by the police. The police failed to register any FIR and therefore, a complaint case was instituted. He has further contended that the complainant has not been made accused in any case and the submissions made in this regard are far from truth.

Be that as it may, regard being had to the totality of the circumstance, the provisional bail granted to the petitioners vide order dated 18.01.2016 is hereby confirmed.

The application stands disposed of.

(Ashwani Kumar Singh, J.)

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