

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3552 of 2016

Arising Out of PS.Case No. -1924 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Shyam Sundar Sah, son of Late Ram Rashik Sah
2. Ayush Kumar Sah @ Ayush Kumar, son of Shyam Sundar Sah Both are
resident of village- Pahsaul, P.s.- Katra, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Rai, son of Prema Rai, resident of village- Nagwara, P.S.- Katra,
District- Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.
For the Opposite Party/s : Mr. Hirday Prasad Singh,(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-01-2016 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 403, 420 and 448 of the Indian Penal Code.

The prosecution case is that the complainant was inducted as a tenant in the house of the petitioners in the year 1998 and started running a business of hardware and tent house. Subsequently on 03.10.2012, a dispute arose between the complainant and his own brother with regard to share in the property as a result the shop was closed, subsequently, the

petitioner and others removed the article worth ₹7,10,900/- leading to a Panchayati where it was decided that the petitioners will return entire articles and gave half part of the area which was led to the complainant.

It is submitted by learned counsel for the petitioners that there is nothing on record to suggest that the complainant was in fact inducted. In the S.A. the complainant got his age recorded as 24 years and the claim of being inducted as a tenant was made in the year 1998 meaning thereby the complainant was four years old when he was inducted as a tenant. There is nothing on record to suggest that the petitioners misappropriated articles of the complainant.

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 J.M., 1st Class, Muzaffarpur in connection with Complaint Case No. 1924 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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