

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15244 of 2016

Arising Out of PS.Case No. -275 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

- =====
1. Abhay Kumar Jha, Son of Kedar Jha @ Kedar Nath Jha
 2. Pankaj Kumar Jha @ Pankaj Jha @ Anuj Kumar Jha, Son of Kedar Jha @ Kedar Nath Jha
 3. Chandan Jha @ Mukesh Kumar Jha, Son of Chulhai Jha
- All residents of village – Manik Chowk Paschim, P.S. – Runnidaidpur,
District – Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Bharat Lal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 12-04-2016

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 341, 323, 406, 420, 120B, 504/34 of the Indian
Penal Code and 3(1)(x) of SC/ST (Prevention of Atrocities)
Act.

The prosecution case is that the

informant advanced rupees ninety thousand for supply of the construction material but neither the construction material was supplied nor the money was returned. On protest being made the informant was assaulted and abused by calling caste name.

It is submitted by learned counsel for the petitioners that the last date of occurrence was 14.06.2014 when the complaint was filed on 26.06.2014 which came to be registered as police case on 14.07.2014 after complaint was being sent under Section 156(3) of the Cr.P.C. There is no proof with regard to the payment.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the delayed lodging of the case and the accusation arising out of contractual nature of dispute between the parties, 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, Sitamarhi in connection with Runnisaidpur P.S.
Case No. 275 of 2014, 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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