

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3143 of 2016

Arising Out of PS.Case No. -1993 Year- 2013 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

- =====
1. Rukmani Devi W/o Hareram Mahto
 2. Krishna Mahto @ Krishna Kumar Bharti S/o Hareram Mahto
 3. Bishun Mehta @ Bishundeo Kumar S/o Hareram Mahto
 4. Md. Kalam S/o Md. Allauddin All R/o Village- Murli Bharna, P.S.-
Bangaon, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar
2. Satya Narayan Sah S/o Late Bidyanand Sah R/o Village- Bara Bhama,
P.S.- Bihra, District- Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bidhan Chandra Jha
For the Opposite Party/s : Mr. Gauri Shankar Gupta (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-01-2016

Petitioners are apprehending their arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Sections 323, 406 of the Indian Penal Code.

The prosecution case is that the complainant gave Rs. 28,000/- to one Hareram Mahto, husband of petitioner No. 1 and father of petitioner Nos. 2 and 3 for executing a sale deed with regard to a land but sale deed was not executed since he was made accused in some other case. Subsequently the said land was sold to one Md. Kalimuddin. It is further alleged that when the complainant went to cut a tree from the land then the accused persons came with armed and

threatened the informant. They also snatched gold-ring and wrist watch of the complainant.

It is submitted by learned counsel for the petitioners that there is no proof with regard to payment and admittedly the money was paid to Hareram Mahto who has not been made accused. The accusation is omnibus and general.

Considering the nature of accusation, thrust of accusation against Hareram Mahto who has not been made accused and the delayed lodging of the complaint, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saharsa in connection with Complaint Case No. 1993 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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