

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4092 of 2016

Arising Out of Complaint Case No. -302 Year- 2015 Thana -MADHEPURA COMPALINT CASE
District- MADHEPURA

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1. Amit Kumar Mandal Son of Gonar Mandal.
2. Gonar Mandal, Son of Late Chandeshwari Mandal.
Both Resident of Village- Tekthi, Police Station- Madhepura, District-
Madhepura.

.... Petitioners

Versus

1. The State of Bihar
2. Vidya Shankar Behari, Son of Late Ganesh Shankar Behari, Resident of
Village- Tekthi, Police Station and District- Madhepura.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. A.K.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 10-02-2016 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

The accusation against petitioner no. 1 is that he took
the victim and after that offered him a cup of tea and thereafter,
petitioners and other accused forced the victim to take tea.
Thereafter, the victim took tea and after that his condition started
deteriorating and since then the victim went missing.

Contention on behalf of the petitioners is that the
victim solemnized his love marriage with Ritu Devi but after
solemnization of marriage, the victim started torturing the
aforesaid Ritu Devi who filed complaint case bearing Complaint

Case No. 154 of 2015 against the victim of the present case and others and petitioners were made witnesses on the aforesaid complaint case and that is the reason of filing of the present complaint case as well as false implication of the petitioners in the present crime.

Although, I am not, at all, convinced with the above stated submissions of learned counsel for the petitioners because the present complaint case was filed on 25.05.2015 whereas the Complaint Case No. 154 of 2015 was filed on 26.09.2015 i.e. after four months of filing of the present complaint case but since the matter has been initiated on the basis of complaint case and the petitioners are in jail custody since 02.11.2015 without having any criminal antecedent and having more or less similar allegation, some co-accused have already been granted privilege of bail by a co-ordinate Bench of this Court, let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri S.K. Kashyap, Judicial Magistrate 1st Class, Madhepura in connection with Complaint Case No. 302 of 2015.

(Hemant Kumar Srivastava, J)

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