

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28461 of 2017

Arising Out of PS.Case No. -803 Year- 2016 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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1. Ram Binay Singh, son of Late Kamta Singh,
2. Gayatri Devi, wife of Ram Binay Singh,
3. Akhilesh Kumar Singh @ Akhilesh, son of Ram Binay Singh, All are residents of Village- Mahashi, Police Station- Obara, District- Aurangabad, Bihar. At present residing at Satyendra Nagar, Ward No.3, Aurangabad, Police Station- Town, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sables Kumar Gaurav, son of Late Sanjay Singh, Resident of Mohalla- P.H.E.D. Colony, Sri Krishna Nagar, Aurangabad, P.S.- Town, District- Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pandey

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 17-10-2017 Heard both sides.

The petitioners apprehend their arrest in Complaint Case No. 803 of 2016, corresponding to Trial No. 1355 of 2017 registered for the offences punishable under Sections 323, 406, 420 and 504 of the Indian Penal Code.

The complainant alleged that the accused persons had to deposit Rs. 5,00,000/- in the account of his sister for her marriage, because the accused persons had sold the lands falling in the share of the complainant, but the accused persons deposited



only Rs. 1,51,000/-. The accused persons refused to pay the money and on objection, the accused persons assaulted the complainant.

Learned counsel for the petitioners submits that the petitioners are uncle and cousin of the complainant. There is nothing on record to show that the petitioners sold the land falling in the share of the father of the complainant. The dispute is of civil nature.

Considering the facts aforesaid, the petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on 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 6th Additional Chief Judicial Magistrate, Aurangabad in Complaint Case No. 803 of 2016, corresponding to Trial No. 1355 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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