

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43662 of 2017

Arising Out of Case No. -242 Year- 2011 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

- =====
1. Sri Krishna Prasad S/o Bishwanath Kumhar
 2. Dhananjai Prasad
 3. Sri Nath Prasad, both sons of Nageshwar Kumhar, all residents of village- Birnagar, P.S. Chenari, District Rohtas

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman

For the Opposite Party/s : Mr. Sri Dilip Kumar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 20-09-2017

Heard both sides.

The petitioners apprehend their arrest in Complaint case No. 242 of 2011 under Section 420, 323,504 of the Indian Penal Code.

The complainant filed Complaint case No. 1327 C of 2005 which was sent to police under Section 156(3) of the Cr. P. C on the basis of which Chenari P.S. case No. 52 of 2007 was registered. The police after investigation submitted final form finding the case mistake of fact. Thereafter, the complainant filed protest petition and the learned Judicial Magistrate after enquiry found prima case to proceed against the petitioners.



The learned counsel for the petitioners submits that the complainant has made specific allegation against Shivpujan Prasad that he handed over money to him where these petitioners were also present and Shivpujan Prasad handed over money to the petitioners for counting. There is no other allegation against the petitioners.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the learned 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rohtas at Sasaram in connection with Complaint case No. 242 of 2011, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

