

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56441 of 2017

Arising Out of PS.Case No. -860 Year- 2014 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Manjay Prasad, son of Ramji Prasad.
 2. Sunita Devi, wife of Manjay Prasad,
 3. Dhruv Prasad, son of Late Shivmangal Prasad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sunil Kumar, won of Laxmi Narayan Sah.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 05-12-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Complaint Case No. 860 of 2014, registered under Sections
323, 384 and 504 of the Indian Penal Code.

The accusation is that after the death of his wife, Sunil
Kumar (complainant) left his two children at the house of
petitioner nos. 1 and 2, who are his brother-in-law and sister-in-
law and went outside for his livelihood. When he reached at the
house of petitioner nos. 1 and 2 and tried to take his children then
they started to scuffle with him and took Rs.5000/- from his
pocket. Again on 25.08.2014, petitioners came at the house of the



informant and started to cause assault to him giving threatening of dire consequences, if he again tried to take his two children.

Learned counsel for the petitioners submits that petitioners are in-laws of the complainant and the complainant called the petitioner no.1 at his shop, where he was assaulted, regarding which, Bagaha Patkhauri P. S. Case No. 362 of 2014 is instituted on 26.08.2014 on the basis of written report dated 25.08.2014 of petitioner no. 1 and in retaliation the complainant has lodged the present case with false allegation.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Bagaha, West Champaran, in connection with Complaint Case No. 860 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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