

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35170 of 2017

Arising Out of PS.Case No. -61 Year- 2017 Thana -TARAPUR District- MUNGER

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1. Sanjay Kumar @ Sanjay Singh S/o Bachchu Singh
2. Bandana Kumari @ Vandana Kumari W/o Sanjay Singh @ Sanjay Kumar
R/o Village-Momdpur, P.S.-Tarapur, Dist.-Munger.... Petitioners
Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioners and learned APP representing the State.

The petitioners apprehend their arrest in connection with Tarapur P.S. Case No. 61 of 2017 under Sections 341, 323, 354A, 379, 420/34 of the Indian Penal Code.

Allegedly, the informant was depositing Rs. 800/- per month in Peerless for five years and when the informant demanded the money, the petitioner No. 1 started taking time and lastly on 17.04.2017 when the informant demanded the money the petitioner No. 1 and his wife both assaulted the informant and torn her blouse also and further snatched necklace from her neck and assaulted the son in her lap.

Submission is of false implication and that after lapse of ten years the case has been lodged , no date has been given in the



first information report, no receipt has been attached with the first information report and due to enmity and local village politics petitioners have been implicated. There is no explanation for lodging the F.I.R. after such delay as such they deserve sympathetic consideration.

Learned A.P.P. opposes the prayer of pre-arrest bail but fairly submits that after much delay the case has been lodged.

In the facts and circumstances stated above, the petitioners above named, in case of their arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IV, Munger in connection with Tarapur P.S. Case No. 61 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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