

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39362 of 2017

Arising Out of P.S.Case No. -57 Year- 2017 Thana -CHAPRA MUFFASIL District- SARAN

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1 Urmila Devi,
2. Krishna Rai,
3. Jai Kumar Rai,
4. Brahmeshwar Rai &
5. Mina Devi, wife of Brahmeshwar Rai

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Awadhesh Kumar Singh, Advocate

For the Opposite Party : Mr. Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 21-08-2017 Heard.

The petitioners apprehend arrest in connection with Chapra Muffasil P.S.Case No.57 of 2017 registered for an offence under Sections 109, 406, 420, 500, 506 and 120(B) of the IPC.

The complainant has alleged that the petitioner no.1 took loan from the brother of the complainant on several occasions and when his brother demanded the said loan amount, the petitioner no.1 along with other co-accused filed a false case against the complainant only to digest loan amount. The allegation of taking loan and committing breach of trust is vague and there is no paper to support the alleged claim of the complainant. The present case has been lodged only to put pressure on the petitioner to withdraw the earlier rape case filed by petitioner no.1 for the offence under



Section 376 of the IPC.

Learned APP opposed the submissions.

On perusal of documents available on record, it appears that the petitioner no.1 has lodged a complaint case under Section 376 of the IPC against the full brother of the complainant. The said case was lodged on 18.08.2016 for the occurrence dated 7/8.01.2016. The present complaint case has been lodged on 26.02.2017 with vague allegation.

Considering the nature of allegation, facts and circumstances of the case, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender in the court below within six weeks from today on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of CJM, Saran at Chapra in connection with Chapra Muffasil P.S.Case No.57 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjay Kumar, J)

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