

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1686 of 2017

Arising Out of PS.Case No. -1073 Year- 2015 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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1. Ashok Kumar Mishra son of Late Umakant Mishra
 2. Suraj Kumar Mishra @ Suraj Kumar son of Ashok Kumar Mishra
 3. Chandan Kumar Mishra @ Chandan Kumar son of Ashok Kumar Mishra
 4. Ranju Devi Wife of Ashok Kumar Mishra All residents of Village - Sari, P.S. - Warishnagar, O.P. - Mathurapur, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ranjeet Kumar Mishra Son of Late Srikant Mishra resident of village - Sari, P.S. - Warisnagar, Mathurapur, O.P. Distt - Samastipur, Gram Panchayat Sari (M), 8084795166.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 17-03-2017 The opposite party no.2 has received notice but has not appeared.

Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Complaint Case No. 1073 of 2015/ T.R. No. 2842 of 2016 for the offences punishable under sections 323, 354 A, 379, 451 and 504/34 of the I.P.C.

At the very out set it is submitted that this complaint



case has been filed on 04.06.2015 after recording of fardbeyan of Ranju Devi, the wife of petitioner no.1, at sadar hospital, Samastipur which was recorded on 02.06.2015 itself. In this complaint case the allegation has been leveled falsely, all the allegations are false and concocted. This complaint case has been filed by way of counter blast of Warishnagar P.S. Case No. 109 of 2015 wherein the informant is Ranju Devi, the wife of petitioner no.1. The injuries on the person of the injured in this case are simple in nature. No one has stated the mother of the complainant as Dyne and all the allegations are concocted. As a matter of fact, the complainant has assaulted the wife of petitioner no.1 with sharp edged weapon and to save the skin from that case this false complaint case has been filed and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners but fairly submits that this complaint case is the counter blast of Warishnagar P.S. Case No. 109 of 2015

In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the



satisfaction of. A.C.J.M.- 3rd, Samastipur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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