

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60041 of 2017

Arising Out of PS.Case No. -933 Year- 2016 Thana -COMPLAINT CASE District- ARRARIA

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1. Shankar Thakur @ Shankar Prasad Thakur, S/o Late Nand Lal Thakur, R/o Village- Hasanpur, P.S.- Raniganj, District- Araria.
 2. Jai Nandan thakur @ Jai Nandan Kumar Thakur, S/o Rajendra Thakur, R/o Village- Hasanpur, P.S.- Raniganj, District- Araria.
 3. Jai Kumar Yadav, S/o Late Surya Narayan Yadav, R/o Village- Jagata, P.S.- Raniganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sita Devi, W/o Yogendra Thakur, aged about 40 Years, R/o Village- Hasanpur, Ward No. 11, P.S.- Raniganj, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 12-12-2017

Heard learned counsel for the petitioners

and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420, 467, 468 and 120B of the Indian Penal Code.

The prosecution case got initiated on the basis of Complaint Case No. 3480(C) of 2014 which ultimately got registered as Raniganj P.S. Caase No. 19 of 2015 after being transferred under Section 156(3) of the Cr.P.C.

The police after concluding the



investigation submitted final report finding the accusation false the petitioners were not sent up for trial. The final form was accepted and subsequently on Protest –cum- Complaint Case No. C 933 of 2016 the matter proceeded and process has been issued after cognizance being taken under Section 420 of the Indian Penal Code.

The prosecution case is that the petitioners got a sale deed executed in their favour, with regard to the land of the informant from her husband Yogendra Thakur, who is a deaf and dumb person.

It is submitted by learned counsel for the petitioners that this is a dispute whether Yogendra Thakur is the husband of the informant or not and consequently a title suit with regard to the same cause of action has been filed.

Considering the nature of accusation arising out of civil nature of dispute, the order of cognizance being passed on protest –cum- complaint petition since on conclusion of investigation police did not send up the petitioners for trial, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of



the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Araria in connection with Protest –cum- Complaint Case No. C 933 of 2016 arising out of Raniganj P.S. Case No. 19 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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