

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31126 of 2018

Arising Out of PS. Case No.-485 Year-2010 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. Kedar Nath Prasad @ Kedar Prasad, son of Late Moti Lal Soni.
2. Pintu Kumar Soni, son of Kedar Nath Prasad @ Kedar Prasad.
Both residents of Jagdishpur, P.S. Jagdishpur, District Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shiv Shankar Singh, son of Late Yogindra Singh, Resident of Barnaav, P.S. Ayer, District- Bhojpur, Ara.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 12-06-2018 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.485 (C) of 2010 registered under Sections 406, 420 and 504/34 of the Indian Penal Code.

The allegation of the complainant/opposite party no.2 Shiv Shankar Singh is that on 03.12.2008, he along with his son went to the jewelry shop of the petitioner no.1 to make ring and for making two rings for his daughter and son-in-law, which were to be delivered on 07.12.2018, he gave Rs.15000/-. Thereafter, on 06.12.2018, petitioner no.2 Pintu Kumar, the son of the petitioner no.1, came to the house of the



complainant/opposite party no.2 and made demand of some more money, which was given by the complainant/opposite party no.2 but the rings were not delivered to the complainant/opposite party no.2. Thereafter, on 07.12.2018 at about 04.00 P.M., when the complainant/opposite party no.2 went to the shop of the petitioner no.1, he found the shop closed. Again, on 21.12.2018, when the complainant/opposite party no.2 went to the shop of the petitioner no.1, the petitioner no.1 gave only one ring worth Rs.5000/- and asked him to give the remaining money later on but in spite of several requests, the remaining money was not given to the complainant/opposite party no.2 by the petitioners.

Learned counsel for the petitioners submits that, in fact, some ornaments were purchased by the complainant/opposite party no.2 from the shop of the petitioners and some amount was due and on making demand of money by the petitioners, the complainant/opposite party no.2 has lodged this case with false allegation. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be



enlarged on bail on their furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) each with two sureties of the like
amount each to the satisfaction of the Chief Judicial Magistrate,
Bhojpur at Ara, in connection with Complaint Case No.485 (C)
of 2010 subject to the conditions laid down under Section
438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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