

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67411 of 2018

Arising Out of PS. Case No.-193 Year-2010 Thana- SAUR BAZAR District- Saharsa

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1. Sunil Kumar Singh @ Sunit Kumar @ Sunit Kumar Singh, Son of late Baidyanath Prasad Singh.
 2. Sanjit Kumar Singh, Son of late Baidyanath Prasad Singh.
 3. Usha Devi @ Usha Singh, Wife of Sunil Kumar Singh @ Sunit Kumar.
 4. Prabhat Ranjan Singh @ Nunuji, Son of Sunil Kumar Singh @ Sunit Kumar @ Sunit Kumar Singh.
 5. Manoranjan Singh @ Raja @ Pratik Kumar, Son of Sunil Kumar Singh @ Sunit Kumar @ Sunit Kumar Singh.
 6. Sanuranjan Singh @ Sona @ Sanu Kumar, Son of Sunil Kumar Singh @ Sunit Kumar @ Sunit Kumar Singh.
- All are Residents of Village- Pastpar, P.S. Sour Bazar, District- Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dinesh Prasad Verma, Advocate
For the State	:	Mr. Awadhesh Kumar Singh, APP
For the Informant	:	Mr. Niranjana Paiha, Advocate

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 06-12-2018 Heard learned counsel for the petitioners, learned Additional Public Prosecutor for the State and the Informant.

Petitioners apprehend their arrest in connection with Sour Bazar P.S. Case No. 193 of 2010 registered for the offences punishable under Sections 302, 201 and 120B of the Indian Penal Code.

It would appear from perusal of the impugned order as well as submission of the parties that initially informant filed complaint case bearing Complaint Case No. 977(C) of 2010,



which was sent to the Police Station and, accordingly, above stated Sour Bazar P.S. Case No. 193 of 2010 was registered. However, after due investigation police submitted final form showing mistake of fact but learned court below differed with the finding of the police and took cognizance.

Learned counsel appearing for the petitioners submits that petitioner Nos. 1 and 2 are brothers of informant of the present case and as a matter of fact serious land dispute is going between the informant and the above stated petitioners. He further submitted that the mother of the petitioner Nos. 1 and 2 as well as the informant was residing with petitioner Nos. 1 and 2 and she died of her natural death but due to enmity and litigation, the informant lodged this false case. It is further pointed out that the informant had lodged criminal case against the petitioners in similar manner when the father of petitioner Nos. 1 and 2 as well as the informant died.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that abovenamed petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, 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 learned Chief Judicial Magistrate, Saharsa in Sour Bazar
P.S. Case No. 193 of 2010 subject to conditions as laid down
under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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