IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36050 of 2018

Arising Out of PS.Case No. -84 Year- 2018 Thana -BIHARIGANJ District- MADHEPURA

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1. Umesh Prasad Saha S/o Ram Prasad Sah,
2. Manish Kumar S/o Umesh Prasad Saha,
3. Santosh Kumar Gupta S/o Late Dashrath Gupta,

All residents of village- Bihariganj, P.S. -Bihariganj, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 04-07-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Bihariganj P.S. Case No.84 of 2018 registered under Sections 323, 341, 354B and 379 read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that prior to the institution of the instant case, the informant had filed Complaint Case No.1211 of 2010 under Section 498A of the Indian Penal Code as well as Section 4 of the Dowry Prohibition Act against petitioner no.3 and others and in that case the petitioner no.3 was acquitted on 02.06.2015. She had also filed

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title suit vide Title Suit No.329 of 2013 against the petitioner no.3 and others, which too was dismissed on 21.06.2014. It is further contended that petitioner no.1 purchased one decimal land through registered sale deed on 23.12.2013 from the petitioner no.3 and the facts alleged in the FIR are patently false and has been brought against the petitioners with ulterior motive due to personal grudge.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioners.

Considering the allegations and the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Uda Kishunganj in connection with Bihariganj P.S. Case No.84 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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