

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23306 of 2017

Arising Out of PS.Case No. -2290 C Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Sunil Kumar, S/o Late Ganga Prasad.
2. Shubhas Prasad @ Shubhas Prasad Singh, S/o Late Ram Chandra Prasad.
3. Kedar Prasad, S/o Late Badri Prasad.
4. Sadan Prasad @ Rao Shree Murlidhar Hind, S/o Late Harihar Prasad.
5. Bipin Prasad @ Bipin Bihari, S/o Late Harihar Prasad,
All are Resident of Village- Tharthari Dih, P.S.- Tharthari, District- Nalanda. At
Present residing behind Machhuatoli, Petrol Pump, H/o Late Ramchandra
Prasad, P.S. Kadamkuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manju Devi, W/o Late Shishu Pal Paswan, Resident of Mohalla- Baba Chowk,
Patel Nagar, P.S. Shastri Nagar, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. N. Sinha, Sr. Advocate
Mr. Binit Kumar, Advocate
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 19-09-2018

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in Complaint Case
No. 2290 (c) of 2012 instituted under Section 354 of the Indian Penal
Code.

3. Earlier on 07.07.2017, the Court had recorded a
detailed order and issued notice to the opposite party no. 2. Despite
notices being served through the counsel for the opposite party no. 2
in the Court below, nobody has appeared in the present case on her



behalf.

4. Learned counsel for the petitioners submitted that his submissions on behalf of the petitioners have already been recorded in the earlier order dated 07.07.2017, which he reiterates even today.

5. Learned A.A.P. was not able to point out any circumstance for this Court to decline interference.

6. Accordingly, considering the submissions of learned counsel for the petitioners, as recorded in the order dated 07.07.2017 and the fact that despite service of notice, opposite party no. 2, who is the complainant has not appeared, the prayer for anticipatory bail stands allowed. In the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in Complaint Case No. 2290(c) of 2012, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

P. Kumar

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