

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58917 of 2018

Arising Out of PS. Case No.-437 Year-2017 Thana- BIRAUL District- Darbhanga

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1. Shambhu Sahni
2. Surendra Sahni@ Sulendra Sahni
Both Sons of Ram Deo Sahni Resident of Village: Afzala, Tole:
Khewa, P.S. Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 19-12-2018

Heard learned counsel for the petitioners; learned
A.P.P. for the State and learned counsel for the opposite party
no. 2 (informant), who has *suo motu* appeared.

2. The petitioners apprehend arrest in connection
with Biraul P.S. Case No. 437 of 2017 dated 18.10.2017
instituted under Sections 341/323/448/420/354/504/34 of the
Indian Penal Code.

3. The allegation against the petitioners is of not
returning Rs. 1,73,000/- which is alleged to have been taken as
loan by them and further of assault and also trying to outrage
the modesty of the informant.

4. Learned counsel for the petitioners submitted
that the case is patently false and fabricated which is proved



from the fact that earlier on 24.09.2017 the wife of the petitioner no. 1 had lodged the case against the husband of the informant of the present case and another alleging that they had made her deposit money in the Company represented by them which had to be returned on maturity to the tune of Rs. 1,00,000/- but they refused to return and also threatened her.

5. Learned A.P.P. and learned counsel for the informant submitted that the witnesses have supported the fact that the petitioners had taken loan from the informant and had also assaulted her.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, 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 A.C.J.M., Biraul, Darbhanga in Biraul P.S. Case No. 437 of 2017, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J)

Anjani/-

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