

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11438 of 2018

Arising Out of PS.Case No. -123 Year- 2014 Thana -DARBHANGA SADAR District-
DARBHANGA

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1. Md. Shakil @ Raju son of Late Md. Salauddin
2. Md. Jasim @ Mantu son of Late Md. Salauddin
3. Md. Shaquib son of Late Md. Salauddin
4. Md. Shamim @ Pappu son of late Abdul Jalil
5. Md. Sakir son of Late Md. Quadir
6. Md. Rizwan son of Md. Khalim
7. Md. Khalil son of Late Md. Taslim

All are resident of Mohalla-Lalbagh Pani Tanki, Police Station-Town,
District -Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 27-02-2018 Heard both sides.

The petitioners apprehend their arrest in Town P.S.
Case No.123 of 2014 registered under Sections 457, 380 of the
Indian Penal Code.

The informant filed complaint case on 14.05.2014 that
in the night of 10.05.2014 all the accused persons broke the lock
of his shop and took away different articles and cash from the
shop of the complainant. On the basis of the aforesaid complaint
petition bearing No.649 of 2014, the present F.I.R. was registered.

The learned counsel for the petitioners submits that



police after investigation found the case false and submitted final form but the learned Judicial Magistrate took cognizance after differing with the finding of the investigation officer. It is submitted that on account of enmity, this case has been lodged.

Considering the facts that the petitioners and informant are on inimical term from before and after investigation of the case the investigating officer found the accusation false against the petitioners and accordingly submitted final form, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged 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 Chief Judicial Magistrate, Darbhanga in connection with Town P.S. Case No.123 of 2014, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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