

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3945 of 2019

Arising Out of PS. Case No.-614 Year-2017 Thana- COMPLAINT CASE District- Banka

1. Anant Kumar Singh, aged about 30 years, Gender-Male.
2. Jai Kumar Singh @ Jay Kumar Singh, aged about 35 years, Gender-Male.
3. Shiv Pujan Kumar Singh @ Shiv Pujan Singh, aged about 22 years, Gender-Male.
4. Sujeet Kumar Singh @ Sujit Kumar Singh, aged about 20 years, Gender-Male.
5. Bablu Kumar Singh, aged about 19 years, Gender-Male. All S/O Ramanand Singh. All Resident of Village-Chilkawar, P.S.-Rajaun, District-Banka.

... .. Petitioners

Versus

1. The State of Bihar.
2. Rajendra Mandal, aged about 60 years, Gender-Male, S/O Late Meero Prasad Mandal, resident of village-Chilkwaar, P.S.-Rajaun District-Banka.

... .. Opposite Parties

Appearance :

For the Petitioners : Mr. Bhaskar Shankar, Advocate.

For the Opposite Party : Mr. Mukesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 395 of the IPC and 27
of the Arms Act.

The prosecution story, in brief, is that on 16.05.2017
the complainant alongwith his other family members was
returning from negotiation of his brother's daughter and in the
way, petitioners stopped his Tempo and snatched Rs. 12,000/-,
Mobile phone and chain from him and his other family members



and when they opposed, they also assaulted them.

It has been submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. A complaint was lodged on 18.05.2017 in respect of offence which had taken place on 16.05.2017. The alleged occurrence is said to have taken place at 9.00 P.M. in the night. Source of identification has not been disclosed by the prosecution which creates doubt about identification made by prosecution. Delay in filing of complaint has not been explained. There is admitted land dispute between the parties. For oblique reason, the present case has been instituted against the petitioners.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. Ist



Class, Banka, in connection with Complaint Case No. 614 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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