

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34864 of 2019

Arising Out of PS. Case No.-2350 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. UDAY THAKUR Son of Late Ramshray Thakur Resident of Village - Chatiya Tola Mathiya Giri, P.S.- Malahi, Dist.- East Champaran.
 2. Punam Devi W/o Ram Binay Thakur Resident of Village - Chatiya Tola Mathiya Giri, P.S.- Malahi, Dist.- East Champaran.
 3. Baby Devi @ Bebi Devi W/o Tintu Thakur Resident of Village - Chatiya Tola Mathiya Giri, P.S.- Malahi, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Indu Kunwar W/o late Dhruv Thakur, Resident of Village - Chatiya Tola Mathiya Giri, P.S.- Malahi, Dist.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar
For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-05-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 406, 467, 468 and 471/34 of the Indian Penal Code.

The prosecution case in brief is that after the death of the husband of the complainant the land in question which was in the share of the complainant's husband was registered by petitioner no.1 Uday Thakur in the name of his two daughters-in-laws. On protest all the accused persons assaulted the complainant by fist and slaps.

The contention of the petitioners is that the petitioner



no.1 is elder brother of the husband of the complainant and after partition as per the schedule, the land in question fell in the share of the petitioners which was registered to the daughters-in-law of the petitioner no.1. He further submits that the dispute is of civil nature and petitioner no.1 is an old and sick person and petitioner nos.2 and 3 are ladies having clean antecedent.

Considering the facts aforesaid, let the petitioners above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, East Champaran, Motihari/successor Court in connection with Complaint Case No. C-2350 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Prabhat Kumar Singh, J)

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