

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48315 of 2019**

Arising Out of PS. Case No.-3 Year-2018 Thana- JEHANABAD COMPLAINT CASE  
District- Jehanabad

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1. Ram Kumar Chauhan Son of Late Ram Rati Chauhan Resident of Mohalla - Malhachk, P.S.- Jehanabad, Distt - Jehanabad.
  2. Dhananjay Chauhan @ Terjan Son of Ram Kumar Chaudhary Resident of Mohalla - Malhachk, P.S.- Jehanabad, Distt - Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sunita Devi Wife of Ganesh Chauhan Resident of Mohalla - Malahchak, P.S. and Distt - Jehanabad.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ranjay Kumar Singh  
For the Opposite Party/s : Mr.Sunil Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      02-08-2019                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners are apprehending their arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 341, 379, 323 and 354/34 of the Indian Penal Code.

The prosecution case as per the complaint petition is that the complainant was in her house when the accused persons came variously armed and made protest for favouring Sheo Kumar Chauhan in connection with a land dispute. Thereafter, all the accused persons assaulted Mahendra Chauhan. In spite of



request by the complainant police did not register any case. Subsequently, petitioner no. 2, Dhananjay Chauhan entered into the house of the complainant with bad intention and thereafter all the accused persons came, assaulted the complainant and snatched gold chain and locket. The female accused persons entered into the house and took a box containing Rs.10,000/- cash and hence, the present complaint petition.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled and there is a case earlier lodged at the behest of the complainant side and for the initial occurrence of 26.12.2017 the complaint was filed on 02.01.2018. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is specific accusation of assault against petitioner no. 2.

Considering the delayed lodging of the case and the fact that the accusation has been levelled in the background of land dispute coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the



learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Complaint Case No. 03 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

DKS/-

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