

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51736 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- MEHUSH District- Sheikhpura

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1. SRI NIWAS SINGH Son of Ram Sharan Singh Resident of Village - Katari, P.S.- Korma, Distt - Sheikhpura.
 2. Sidhi Kumar Singh @ Siddhi Kumar Son of Sri Niwas Singh Resident of Village - Katari, P.S.- Korma, Distt - Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suraj Kumar Singh Son of Sri Vinay Kumar Resident of Village - and P.S.- Mehus, Distt - Sheikhpura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Mehus P.S. Case No. 12 of 2019, disclosing the offence under Sections 406, 420, 504, 506/34 of the Indian Penal Code.

It is alleged in the First Information Report that the informant had purchased a vehicle. On a request made by petitioner no. 1, who is admittedly maternal uncle of the informant, informant's father had given him the said vehicle temporarily. It is alleged in the FIR that petitioner no. 1 sold the vehicle to a third person. Petitioner no. 2 is son of petitioner no. 1. It is also alleged in the FIR that when the informant asked the



petitioners to return the vehicle, the petitioners not only misbehaved with him but assaulted him as well. It is evident from the First Information Report itself that before lodging of the present FIR in July 2019, a complaint case was lodged by petitioner no. 1 in February 2019, which, according to the informant, is absolutely false.

Learned counsel appearing on behalf of the petitioners has submitted that it is because of the family dispute and business transactions that a false case has been lodged.

Considering the nature of allegation and the relationship of the petitioners with the informant and taking into account the past litigation between them, this application is allowed. Let the petitioners, above-named, in the event of their arrest/surrender within six weeks from today in the court below, 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 the learned ACJM-1st, Sheikhpura in Mehus P.S. Case No. 12 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/ Court, as the case may be, as and when required and in the event of failure on their



part to appear before the court on two consecutive occasions,
their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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