

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23658 of 2021

Arising Out of PS. Case No.-2228 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Shankar Kumar @ Shankar Prasad, Son of Late Kedar Prasad.
 2. Santosh Kumar, Son Of Late Kedar Prasad
 3. Mantosh Kumar, Son Of Late Kedar Prasad.
All Resident Of Village- Sonarpatti, P.S.- Town Motihari, District-
East Champaran.

... .. Petitioners

Versus

1. The State of Bihar.
2. Ravi Shankar @ Tinku, son of Harihar Prasad, Resident Of Village-
Sonarpatti Motihari, P.S. Motihari, District- East Champaran

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Ansul, Advocate Mr. Anuj Kumar, Advocate
For the Opposite Party	:	Mr. Kumar Ranjit Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 25-03-2022 Heard learned counsel for the parties.

Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for anticipatory bail arises out of Complaint Case No. 2228 of 2018 (Trial No. 681 of 2019) for the offence punishable under Sections 323, 379, 406 and 504 of the Indian Penal Code.

The dispute is of Rs.30,000/- for which the complaint case has been filed by the complainant.



The complainant has been issued notice but notice has not been properly served.

It is submitted by learned counsel for the petitioners that he wants to settle the matter and does not want to drag the dispute and he has offered to deposit the entire amount of Rs.30,000/- in the Court below by way of demand draft in the name of the complainant, which can be withdrawn by the complainant.

Considering the submission of learned counsel for the petitioner, let the petitioners, above named, in the event of their arrest/surrender within four weeks from today in the Court below, be released 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 the learned Judicial Magistrate, 1st Class, Motihari, in connection with Complaint Case No. 2228 of 2018 (Trial No. 681 of 2019), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is also subject to the condition that at the time of furnishing bail bonds, the petitioners shall deposit a demand draft of Rs.30,000/- in the Court below prepared in the name of the complainant. If the complainant withdraws the demand draft



of Rs.30,000/- then the Court below will explore the possibility of closing the prosecution with consent of the complainant. If the complainant does not withdraw the said demand draft of Rs.30,000/- and wants to contest the case, in such circumstance, the demand draft shall be returned to the petitioners.

With the aforesaid observations and directions, this bail application is allowed.

(Sandeep Kumar, J)

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