

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3057 of 2020

Arising Out of PS. Case No.-1313 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. SAROJ DEVI Wife of Anil Kumar Kushwaha Resident of Village-Dumariya, P.S-Dumariya Ghat, District-East Champaran.
 2. Lakshman Kushwaha @ Lakshman Prasad Kushwaha @ Lakshman Mahto Son of Satyanarayan Mahto Resident of Village-Dumariya, P.S-Dumariya Ghat, District-East Champaran.
 3. Rita Devi Wife of Lakshman Mahto @ Lakshman Kushwaha @ Lakshman Prasad Kushwaha Resident of Village-Dumariya, P.S-Dumariya Ghat, District-East Champaran.

... .. Petitioners.

Versus

1. The State of Bihar
2. Nagendra Kumar Son of Raj Narayan Prasad Yadav Resident of Village-Dumariya, P.S-Dumariya Ghat, District-East Champaran, actually resident of village-Bhawanipur South, PS-Dumariya Ghat, District-East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No.5
For the Opposite Party/s : Mr. Dr. Indiar Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 29-08-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State assisted by learned counsel for the opposite party no.2.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 384, 504 & 506 read with Section 34 of the Indian Penal Code.

3. The allegation against petitioner no.1 is of demanding extortion of Rs.50,000/- and thereafter on being pressurized by petitioner no.3, the complainant has given the



jewellery to this petitioner worth Rs.70,000/-, the allegation against petitioner no.2 is that he took out Rs.5000/- from the pocket of the complainant and the allegation against petitioner no.3 is same as petitioner no.1.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to dirty village politics. It is further submitted that the present complaint is a false one and the same has been filed with non sustainable allegations. Moreover, a compromise has entered into between the parties. Petitioner no.1 has one criminal antecedent, whereas petitioner nos.2 and 3 have no criminal antecedent as mentioned in para-3 of this application.

5. Learned counsel for the opposite party no.2 does not deny the factum of compromise.

6. Having regard to the facts and circumstances of the case as well as the fact that a compromise has entered into between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the



satisfaction of the learned lower Court where the case is pending/successor Court in connection with Complaint Case No.1313 of 2019 (Trial No.274/19), subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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