

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27491 of 2023

Arising Out of PS. Case No.-59 Year-2019 Thana- PANDAUL District- Madhubani

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1. SUKAN THAKUR SON OF LATE JHURI THAKUR @ JHARI THAKUR
RESIDENT OF VILLAGE-JAYNAGAR TOLA, P.S.-MANIGACHHI,
DISTRICT-DARBHANGA
 2. RAM NATH THAKUR @ RAMNATH THAKUR @ RAM NATH
SHARMA SON OF SUKAN THAKUR RESIDENT OF VILLAGE-
JAYNAGAR TOLA, P.S.-MANIGACHHI, DISTRICT-DARBHANGA

... .. PETITIONER/S

VERSUS

1. THE STATE OF BIHAR
2. PREM NATH TIWARI SON OF RAGHU TIWARI RESIDENT OF
VILLAGE-BHAUR RAJEGRAM, P.S.-PANDAUL, DISTRICT-
MADHUBANI

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-07-2023 Heard learned counsel for the petitioners and the
State.

Petitioners apprehend their arrest in a case registered
for the offence punishable under sections 420, 379, 3236, 504,
506 of the Indian Penal Code.

It is alleged that in the year 2011, complainant gave



Rs. 25,000/- as labour cost and wood of Jackfruit, Sisham and Gamhar to the petitioners for preparing furniture but the petitioners neither prepare the furniture nor returned the amount to the complainant. It is further alleged that complainant send them legal notice to the petitioners but they never replied of the said legal notice and in fact they went to the house of the opposite party no 2 and abused and assaulted him.

It is submitted that on behalf of the petitioners that they have been made accused in this false and concocted case due to village politics. The alleged occurrence is of 20.09.2011 whereas present complaint petition has been filed after 8 years and there is no plausible explanation for the same which itself creates doubt over the veracity of the prosecution case. Petitioners claim clean antecedent.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged 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 C.J.M., Madhubani in connection with Pandal P.S. Case No 59 of 2019, subject to the conditions laid down



under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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