

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55323 of 2023

Arising Out of PS. Case No.-697 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. SAMSUL MANSOORI SON OF LATE MANEER NADAF R/O VILL-MADANA, PS- ANDHRATHADHI, DIST- MADHUBANI
 2. ISLAM MANSOORI SON OF SAMSUL MANSOORI R/O VILL-MADANA, PS- ANDHRATHADHI, DIST- MADHUBANI

... .. Petitioner/s

Versus

1. The State of Bihar
2. DHANIK LAL PANDIT SON OF SATARI PANDIT RESIDENT OF VILLAGE- MADANA, PO- MADANA, PS- ANDHRATHADHI, DIST- MADHUBANI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad , Advocate
For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 406, 420, 120(B), 506 / 34 of the Indian Penal Code.

3. As per the prosecution case, these petitioners purchased hardware articles worth Rs. 60,033/- and told the complainant , that they will pay the aforesaid money within two months. After two months when complainant demanded his money back, petitioners did not returned the amount to the



complainant.

4. It is submitted on behalf of the petitioners that due to land dispute between the parties this false and concocted case has been lodged against these petitioners. There is no chit of paper in support of the prosecution case . This complaint petition has been filed after the delay of 8 months for which there is no plausible explanation which itself creates doubt over the veracity of the entire prosecution case .

5. Learned counsel for the State oppose the bail petition.

6 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 Judicial Magistrate - 1st Class, Jhanjharpur in the District of Madhubani in connection with Complaint Case No. 697/ 2019/ T.R. No. 1537/2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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