

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68147 of 2022

Arising Out of PS. Case No.-32 Year-2017 Thana- COMPLAINT CASE District- Sheohar

1. KAMESHWAR KUAR SON OF LATE MAHESH KUAR R/O VILLAGE-
DILAWARPUR, TOLA- KHUTERIYA, P.S.- KESARIYA, DISTRICT-
EAST CHAMPARAN, BIHAR
2. MADHURENDRA KUAR SON OF SRI KAMESHWAR KUAR R/O
VILLAGE- DILAWARPUR, TOLA- KHUTERIYA, P.S.- KESARIYA,
DISTRICT- EAST CHAMPARAN, BIHAR

... .. Petitioners.

Versus

1. The State of Bihar
2. SHIVANI KUMARI D/O LATE RAMCHANDRA SINGH R/O VILLAGE-
BHATHA, P.S.- SHYAMPUR BHATHA, DISTRICT- SHEOHAR, BIHAR

... .. Opposite Parties.

Appearance :

For the Petitioners	:	Mr. Ashok Kumar Singh
For the State	:	Mr. Anil Kumar Singh No.1
For the O.P. No.2	:	Mr. Pushpendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-07-2023 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 387 and
342/34 of the Indian Penal Code.

3. The petitioner in association of other co-accused
is said to have kidnapped the complainant, took his signature on
the blank paper and snatched her golden earrings.

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. As a



matter of fact, petitioner no.1 is the father of petitioner no.2. Due to some misunderstanding between the complainant and petitioner no.1, the present case was lodged. It is further submitted that petitioners and complainant/opposite party no.2 are family members and there is a land dispute going on between them. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned A.P.P. for the State assisted by learned counsel for the opposite party no.2 opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as the fact that there is *inter se* land dispute, 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.32 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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