

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5201 of 2023

Arising Out of PS. Case No.-907 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Dablu Kumar @ Anshu Kumar Son of Tapeswar Yadav R/v- Sukulpur, P.S.- Didarganj, District- Patna
 2. Tapeswar Yadav Son of Late Jamun Yadav R/v- Sukulpur, P.S.- Didarganj, District- Patna
 3. Geeta Devi Wife of Tapeswar Yadav R/v- Sukulpur, P.S.- Didarganj, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Devi Wife of Pradeep Rai R/v- Sukulpur, P.S.- Didarganj, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Ranjan Kumar
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 354, 354(B), 354(D), 379 and 504 of the Indian Penal Code.

As per the complaint, on 24.09.2021 while the daughter of complainant was on her way to coaching near Banka Ghat petitioner no. 1 assaulted her and snatched her money and books. When the complainant went at the house of accused to make complain after two days on 26.09.2021, all the



accused persons came to the complainant's house and abused, assaulted and caused hurt to the complainant and her daughter and son. In the meantime, petitioner no. 2 snatched away gold chain and Jitiya from complainant's neck. Petitioner no. 3 also took away bag containing ornaments worth Rs. 4,000/-.

It is submitted that as per the complaint the date of occurrence is 24.09.2021, but the present complaint case has been filed on 04.10.2021 and there is unexplained delay of ten days which casts doubt over the veracity of prosecution case. This fact suggests that the same has been filed with deliberation and afterthought. No such occurrence as alleged in the complaint petition has ever been taken place. Both parties are villagers and due to petty dispute, this false and fabricated case has been lodged. Petitioners claim clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to 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 Ist Class, Patna City, Patna in connection with Complaint Case No. 907 of 2021,



subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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