

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17991 of 2024

Arising Out of PS. Case No.-88 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Santosh Thakur S/o Late Gya Chandra Thakur R/o Vill - Basudevpur Tole
Balua, P.S. - Laukha, Dist. - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Yogendra Thakur @ Jogindra Thakur S/o Lotan Thakur @ Lochan Thakur
R/o Vill - Basudevpur Tole Balua, P.S. - Laukha, Dist. - Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti , Advocate

For the Opposite Party/s : Mr. Satyendra Prasad , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-05-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for

the offence punishable under sections 341 , 379 and 384 of the

Indian Penal Code.

3. As per the prosecution case , it is alleged that this

petitioner had purchased the land on which house of the

complainant is situated from some other person and when the

complainant made enquiry from the petitioner , then petitioner

forcibly took thumb impression of complaint on plain paper and

also committed theft of Rs. 5000/- . It is further alleged that the

petitioner on 02.02.2022 abused and assaulted the informant.



4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to village politics. The dispute is purely of civil nature . There is no chit of paper on record to show that petitioner is connected in the alleged occurrence and as such , no case under section 379 and 384 of Indian Penal Code is made out against this petitioner. Rest of the allegation is super-addition to make the case grave in nature . Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate - II, Jhanjharpur District - Madhubani in connection with C . R. Case No. 88 of 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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